ALBERTA POLICE COMMISSION

REPORT UPON THE FEASIBILITY FOR ESTABLISHING A BOARD OF POLICE COMMISSIONERS WITHIN THE PROVINCE OF ALBERTA

Assistant Commissioner Harry A. Maxted,
Royal Canadian Mounted Police (Rtd)

Edmonton, Alberta,
February 28, 1970.

A study commissioned by the Executive Council,
Province of Alberta. Order in Council 2403/69.

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File No. 21-A-500

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February 28, 1970.

The Honourable Edgar H. Gerhart,
Attorney General,
Government of Alberta,
Legislative Buildings,
EDMONTON, Alberta.

Sir:

Re: ALBERTA POLICE COMMISSION

Under authority of Order in Council 2403/69 dated December 23, 1969, I was appointed by the Executive Council of the Government of Alberta to undertake a survey to enquire into and report upon the feasibility for establishing a Board of Police Commissioners within the Province of Alberta.

It is with pleasure that I submit the attached Report and I sincerely trust the information it contains will be of interest to the Government of Alberta and that it may be of some benefit to both the police service and the people of Alberta.

Respectfully yours,

Harry A. Maxted,
Assistant Commissioner
R.C.M.P. (Rtd)

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PREFACE

Recognizing the role of the policeman today as one remaining largely repressive in a society that is increasingly permissive, I will endeavor throughout this report to maintain a proper degree of balance between the policeman and the public he is dedicated to serve. I realize the policeman, while primarily responsible for the preservation of the peace, the protection of life, property and personal liberty cannot function effectively without the support and confidence of the general public. With a police background of thirty five years, I am most conscious of the fact a policeman can exercise only those powers which have been entrusted to him by the public through its elected representatives. Any abuse of the powers granted him is not only repugnant to society but is highly distasteful to his fellow police officers.

Frequently, and often with some justification, the policeman feels the public is indifferent to his problem and unjust in their criticism of his efforts. He must however, always accept that the possibility for public criticism is a hazard of his occupation and in applying the law he must be a symbol of the moral standards for conduct and deportment that the community demands of its citizens. I am conscious of the present day trend toward

SUMMARY

Recognizing the role of the policeman today as one requiring largely impersonal in a society that is increasingly permissive, I will endeavor throughout this report to maintain a proper degree of balance between the policeman and the public he is dedicated to serve. I realize the policeman, while primarily responsible for the preservation of the peace, the protection of life, property and personal liberty cannot function effectively without the support and confidence of the general public. With a police background of thirty five years, I am more conscious of the fact a policeman can exercise only those powers which have been entrusted to him by the public through its elected representatives. Any abuse of the powers granted him is not only responsible to society but is highly detrimental to his fellow police officers.

Frequently, and often with some justification, the policeman finds the public is indifferent to his problem and mature in their criticism of his efforts. He must however, always accept that the responsibility for public criticism is a measure of his competence and in applying the law he must be a symbol of the moral standards for conduct and decorum that the community demands of its citizens. I am conscious of the growing day trend toward

permissiveness, the needs of our youth for a voice in the operations of our society and, in its proper place that protest can be a healthy step toward a better society. I also recognize that our society today places a greater emphasis upon human rights requiring considerable change in police attitudes and procedures.

I am able to accept that along with human rights there are also civil rights and any citizen has a right to criticize the actions of the police or any other public service when they fail to function in the interest of the community as a whole. He has the right to seek justice should he feel he has been treated unjustly. The policeman should have this same right. I agree that anyone has the right to expect that his complaint of abuse of power by a policeman will be fully investigated by an independent and impartial tribunal. We must however be assured that in the process, the policeman is not being rendered impotent through unjustified public abuse.

It is my intention in this report to recommend the formation of an Alberta Police Commission. I feel this will provide the impartial and independent body to which the public should have access. I believe that an Alberta Police Commission could function to serve the best interests

of both the public and the police. I will base my recommendation partially upon the success with which similar police commissions are operating in the Provinces of Ontario and Quebec. While, in Alberta, we do not have the heavy concentration of population or the volume of crime that exists in the two eastern provinces we do have a wide divergence between the police and some segments of our society which must be recognized. This has been aggravated considerably in the past two years by the phenomenon of drug abuse.

The President of the United States has recently dedicated an appropriation of $1,257,000,000 for the coming year to fight crime. This is an increase of almost $600,000,000 and comes at a time when most domestic programs are subject to austerity. Though police powers rest with the individual state just as they do with our provinces, the United States Government has allocated $236,000,000 to finance a new program to help the individual communities fight crime. With a 12 per cent increase in violent crime in 1969 President Nixon has openly declares war on organized crime. The harrassed crime lords may find it necessary to establish their headquarters outside the United States and if so, Canada will become a fertile field for their operations.

Organized crime has already established a firm foothold in Ontario and Quebec and is infiltrating Western Canada in many unsuspecting ways. We would be less than naive if we were not to recognize the vulnerability of Alberta. The efficiency of law enforcement in Ontario and Quebec is being geared to meet the threat of organized crime. The respective police commissions are a directing force in this effort. In Alberta we are fortunate in having efficient policing in Edmonton, Calgary, Lethbridge, Medicine Hat and in those areas under the jurisdiction of the Royal Canadian Mounted Police. A great deal however can be done to improve the efficiency of many of the smaller municipal police departments if we are to meet the challenge of increasing crime. Much can be done in the field of selection and training and in determining the requirements for adequate policing.

An Alberta Police Commission, composed of dedicated, well qualified men with a broad knowledge of law enforcement and its related problems, will provide a very valuable advisory service to both the Attorney General and municipal government in all matters pertaining to law enforcement within the province. The main objective of this Commission should be the prevention of crime and promoting the efficiency

Organized crime has already established a firm foothold in Ontario and Quebec and is infiltrating Western Canada in many unsuspecting ways. We would be less naive if we were not to recognize the vulnerability of Manitoba. The efficiency of law enforcement in Ontario and Quebec is being tested to meet the threat of organized crime. The respective [illegible] have formed a directing force in its effort [illegible] having efficient policing in Ottawa. [illegible] Modification and it cross area [illegible] the Royal Canadian Mounted Police. A press [illegible] can be done to improve the efficiency [illegible] smaller municipal police departments [illegible] chairman [illegible] increasing [illegible] Much can be done in the field of selection and training and in [illegible] equal emphasis for a [illegible] policing.

An Alberta Police Commission, composed of [illegible] men with a broad knowledge of law enforcement-related problems, will provide a very valuable [illegible] to both the Attorney General and [illegible]

of the police service in Alberta. The cost involved in establishing and operating an Alberta Police Commission and the resulting programs it may institute will be insignificant when compared to the astronomical costs of crime.

The following is an extract from the Chairman's Report to the Metropolitan Toronto Board of Commissioners of Police dated January 22, 1970:

> "Without lessening the importance of further analysis it is likely that our greatest need in the seventies will be concentrated in two main areas; community relations as separate and distinct from public relations; and the nature of the policeman's duties, and therefore the kind of policeman that will be developed in the future."

Chapter 1.

INTRODUCTION

The terms of reference authorized by the Attorney General and under which I was instructed to conduct this survey are listed as follows:

"To enquire and report upon the feasibility for establishing a Board of Police Commissioners within the Province of Alberta, whose function could include:

(a) authority to enquire into, recommend and take any action designed to improve public confidence in those who are charged with the responsibility for law enforcement within the Province of Alberta;

(b) authority to determine the adequate police requirements for any municipality;

(c) authority to enquire into and make recommendations to the Government of Alberta for establishing adequate standards for the selection and training of personnel engaged in policing or similar law enforcement endeavor; and

(d) authority to investigate and conduct enquiry into complaints made by anyone with respect to

> misconduct, abuse of authority, excessive use of force or dereliction of duty on the part of any member of a police department or law enforcement agency operating within the Province of Albert and where indicated to recommend disciplinary action or corrective measures."

The concern which prompted the Attorney General to enquire into the feasibility for an Alberta Police Commission was prompted primarily by the frequency with which reports of police abuse of power are received through his department. The complainant has invariably expressed some dissatisfaction with the investigation or disposition made of the complaint by the police authority concerned. It was suggested that an impartial, independent tribunal could serve as an avenue for investigation and review of complaints from the public with respect to abuse of police power and that the availability of such a Commission would satisfy the public that their rights are being respected.

The other items involving the determination of adequate policing, the establishing of standards for selection and training and the need for better police community relations, while somewhat related were secondary

to the main issue. It was first necessary for me to establish in general terms what the public expect from the police service in Alberta and then to determine whether everything possible is being done by both the police and the public to meet this requirement.

As I travelled throughout the province holding interviews with police and municipal authorities I became increasingly aware that a wide gap in general police efficiency exists between the larger municipal forces on the one hand and those serving the smaller municipalities. It was apparent that this undesirable situation exists primarily through the inability of the smaller municipalities to obtain the services of qualified policemen and the lack of suitable training facilities in the province to serve their needs.

It became apparent that to improve the quality of policing, and this will definitely reduce the possibilities for public complaint, it will be necessary for the Government of Alberta to take the initiative in establishing better standards for selection and training of personnel and to provide the training facilities required. I also became aware of a widening gap of misunderstanding between the police service and the public they are dedicated to

serve. In many areas and in particular, the smaller municipalities, it was obvious that police methods and attitudes have not kept pace with the demands of our permissive society and that considerable change is necessary if our police departments are to meet the challenge of present day sophistication in crime trends.

It was also apparent that the system in Alberta for the appointment of local Boards of Police Commissioners does not always lend itself to good police community relations. It was quite apparent that some direct action is necessary at the provincial level if we are to restore a better relationship for cooperation between the police and the public.

It was my privilege to spend some time with the Ontario Police Commission and the Quebec Police Commission where I had an excellent opportunity to study the results of their efforts to improve policing within their respective provinces. I studied the training procedures of the Metropolitan Toronto Police, the Montreal City Police, The Ontario Provincial Police and the Quebec Provincial Police. I was able to spend some time at the Ontario Police College and the Quebec Police Institute and I returned to Alberta more convinced than ever for the

need for suitable training programs and adequate training facilities to meet the requirements of the smaller municipal police departments in Alberta.

I was quite impressed by the manner with which the Ontario and Quebec Police Commissions deal with complaints of police abuse and I feel their system could be readily applied to serve the interests of both the public and the police service in Alberta. I returned to Alberta convinced that a definite need exists for the establishment of an Alberta Police Commission and that it will serve the best interests of the police, the public and municipal government.

I therefore travelled again through the province holding informal meetings with members of the judiciary, mayors and members of municipal police commissions, town managers, and chiefs of police. I discussed with them the problems associated with municipal policing and the manner with which the police commissions of Ontario and Quebec have solved the same problems. I was most favourably impressed by the reception I received from all those interviewed and the interest they took in the possibility that a similar commission may be established in Alberta. Throughout my travels in Alberta I did not receive one negative

opinion with respect to the establishment of an Alberta Police Commission. I am satisfied therefore that should the recommendations to be included in this report result in the establishment of an Alberta Police Commission, the idea will receive wide general support.

Chapter 2.

THE POLICE SERVICE OF ALBERTA

The following information is based upon details available through the Dominion Bureau of Statistics for the year ending December 31, 1968. Some changes may have occurred during the past year.

The police strength in Canada as of December 31, 1968 is reported as 37,044 including the Royal Canadian Mounted Police with 8,915 and 20,630 employed with municipal police duties. The remainder includes the Ontario Provincial Police, the Quebec Provincial Police, the National Harbours Police and the Railway Police. The 1968 population for Alberta is listed as 1,497,369. The police strength in Alberta as of December 31, 1968 shows the Royal Canadian Mounted Police with 1,029 men while 1,323 were employed with municipal police duties.

City	Population	Municipal Police	R.C.M.P. Contract
Calgary	354,856	531	
Camrose	8,477	13	
Drumheller	4,698		6
Edmonton	393,563	622	
Grande Prairie	11,605		11

Chapter [illegible]

THE POLICE SERVICES IN ALBERTA

The foll wing information is based upon data available through the Dominion Bureau of Statistics for the year ending December 31, 1962.

[illegible] in [illegible] country during the past year.

The police strength in [illegible] 1962 is reported as 27,044 including [illegible] Mounted Police with 8,91[illegible] and 2 municipal police duties. [illegible]

Ontario Provincial Police

the Maritime Patrol [illegible]

The 1962 population for [illegible]

The police strength in [illegible]

shows the Royal Canadian Mounted Police [illegible] while 1,123 were employed with municipal [illegible]

	Population	Municipal Police	Ratio Officers

City	Population	Municipal Police	R.C.M.P. Contract
Lethbridge	37,760	47	
Medicine Hat	25,574	39	
Red Deer	26,730		33
Wetaskiwin	6,154		6
	869,417	1,252	56

Towns having a population less than 1,500 are policed under the Royal Canadian Mounted Police provincial contract. There were 44 towns in this category as of December 31, 1968 and these have not been included in the following list. There are however still a few small towns with populations of less than 1,500 who provide their own municipal policing. These are marked by an (x) in the list that follows.

Town	Population	Municipal Police	R.C.M.P. Contract
Athabasca	1,768	2	
Barrhead	2,718	4	
Blairmore	1,791		2
Bonnyville	2,322	3	
Brooks	3,517		4

Town	Population	Municipal Police	R.C.M.P. Contract
Cardston	2,721	3	
Claresholm	2,947		3
Coaldale	2,541	2	
Cold Lake	1,257	1	
Coleman	1,308	1	
Devon	1,283	1	
Didsbury	1,730		3
Drayton Valley	3,326	4	
(x) Eckville	675	1	
Edson	3,817	5	
Fairview	1,931		2
(x) Falher	938	1	
Fort Macleod	2,640		5
Fort McMurray	4,984		6
Fort Saskatchewan	4,430	6	
Grand Centre	1,892	1	
Grimshaw	1,668		2
Hanna	2,633	3	
High Level	2,006		3
High Prairie	2,430		4
High River	2,239		3

Town	Population	Municipal Police	R.C.M.P. Contract
Hinton	4,461	5	
Innisfail	2,531		3
Lac La Biche	1,649		3
Lacombe	3,045	5	
Leduc	3,029	4	
(x) Milk River	861	1	
Olds	3,240		4
Peace River	5,201		6
Pincher Creek	3,118		4
Ponoka	4,487	7	
Raymond	1,950	1	
Redcliff	2,141	3	
Rimbey	1,502	2	
Rocky Mt. House	2,713	3	
Sherwood Park	9,000 (approx.)		6
Slave Lake	1,716		3
St. Albert	10,243		8
Stettler	4,351		5
Stony Plain	1,464	3	
St. Paul	3,857		4
Swan Hills	1,521		2

Town	Population	Municipal Police	R.C.M.P. Contract
Taber	4,603	6	
(x) Tofield	952	1	
(x) Trochu	750	1	
Valleyview	1,827		2
Vegreville	3,680		3
Vermilion	2,685		3
Vulcan	1,612	2	
Wainwright	3,867		4
Westlock	2,919	3	
Whitecourt	2,480		4
	158,969	85	101

The remainder of the population amounting to 429.985 is policed by the Royal Canadian Mounted Police under the provincial agreement. Not included in the above figures are 14 part-time village constables who are primarily employed as maintenance men, 6 full time village constables and 9 county constables employed with the enforcement of county by-laws.

Recapitulation	Population	Municipal Police	R.C.M.P. Contract	R.C.M.P. Provincial Agreement
Cities	820,230	5		
Towns (under 1500)	39,271			44
Towns (over 1500)	88,851		27	
Towns (over 1500)	70,118	30		
Villages and other areas	429,985			--
	1,497,642	35	27	44

As of April 1, 1970 the Royal Canadian Mounted Police actual strength in Alberta will be 1132. 796 of these will be charged to the provincial agreement and the differential will provide 98 additional men for provincial responsibility.

Under the terms of the agreement between the Government of Canada and the Province of Alberta the Royal Canadian Mounted Police are responsible for policing the rural areas and those towns and villages having a population of 1,500 or less. In addition, by agreement the Royal Canadian Mounted Police may enter into contract with municipalities having a population of over 1,500 but less than 15,000 to supply essential municipal police services.

The Royal Canadian Mounted Police are presently under contract to provide police service to the cities of Drumheller, Grande Prairie, Red Deer and Wetaskiwin all of which have populations in excess of 1,500. In addition the Royal Canadian Mounted Police supply municipal police service under contract to 27 towns having populations in excess of 1,500 people. The Royal Canadian Mounted Police have also accepted responsibility under the terms of the provincial agreement to supply policing service to 44 incorporated towns whose populations are less than 1,500.

The Royal Canadian Mounted Police in Alberta provide police service of a very high calibre to all those areas coming within its jurisdiction. The selection and training standards of the Royal Canadian Mounted Police are highly rated in police circles and, supported by a very strict code of ethics and discipline, the Royal Canadian Mounted Police provide excellent police service at all levels of their responsibility within the province.

The 1968 population of Edmonton was 393,563 and its municipal police strength as of December 31, 1968 was 622. The City of Calgary had a population of 354,856 and a police strength of 531. The police departments of Edmonton

and Calgary are equally efficient, staffed by well trained, carefully selected personnel under capable leadership. I have a good knowledge of the capabilities associated with the larger police forces in Canada and have no hesitation in placing both Edmonton and Calgary among the top, based on quality in both personnel and performance. The Edmonton and Calgary Police Departments have excellent training facilities.

Lethbridge and Medicine Hat are fortunate in providing efficient policing. Lethbridge with an actual police strength of 47 as of December 31, 1968 and Medicine Hat with 39 operate under capable leadership and have a careful program for selection of personnel however it is not possible for a police force having less than fifty men to maintain adequate training facilities and both Lethbridge and Medicine Hat suffer in this respect. Unfortunately, there is no police school located within the province to whom they can direct their recruit constables for basic police training to meet their standards. Should the Alberta Police Commission eventually be able to establish a suitable basic training program both the Lethbridge and Medicine Hat departments would benefit.

Camrose is the only other city in the province

maintaining its own municipal police department and with a strength of only 13 it can in no way provide the necessary training within its own resources. Camrose has capable leadership and would benefit greatly from any training program that could be provided through the Alberta Police Commission. There are one or two more smaller municipal police departments who, through capable leadership and the dedication of the chief constable and municipal council, maintain a fair degree of police efficiency, however, they too are hampered by a lack of training facilities and this in turn does effect the quality of their operations.

Unfortunately, there is a very wide and disturbing gap between the high level of police efficiency indicated and the police service being provided by municipal police in communities of up to 5,000 people. I believe the need for remedial action is of sufficient importance to present the problem in a separate chapter to follow - Police Problems in the Small Municipality.

Chapter 3.

POLICE PROBLEMS IN THE SMALL MUNICIPALITY

Those areas under Royal Canadian Mounted Police jurisdiction and the cities of Edmonton and Calgary can enjoy efficient policing because their police strength is adequate and finances are available to maintain high level standards for selection, well established training programs and a proper incentive for a rewarding police career. Lethbridge and Medicine Hat are hampered to some extent through a lack of adequate training facilities. There does exist however a very wide gap in police efficiency between these well policed areas and many of those coming within the jurisdiction of the smaller municipal police departments. This gap must be bridged.

It is not my intention to suggest that the inadequate police service presently available to many of our smaller municipalities results from a lack of interest or desire on the part of those responsible for providing the police service. During my survey I held meetings throughout the province with the police and the officials responsible for policing many of our smaller municipalities. While time did not permit me to include every such town within my itinerary I did spend time with a sufficient number, including some who are policed under the Royal Canadian

Mounted Police contract, to obtain a broad picture of the existing problem and to form an opinion as to desirable remedial action.

In most cases I found the smaller municipal police departments headed by a dedicated policeman with some years of police experience who might be excused for occasionally becoming frustrated in his efforts to provide efficient policing to his community. The members of the municipal councils, boards of police commissioners, and police committees with whom I consulted were intelligent men, dedicated to the service of their community and interested in any suggestion designed to improve their municipal police service.

These men are aware that police services which may have been adequate twenty years ago can no longer meet the challenge of today's permissive society. While the matter of finances is always a problem in the smaller community I gained the impression that in most cases the municipal authorities are willing to provide the men and equipment necessary to improve their police service. They are hampered by their inability to secure properly qualified ment to perform the necessary police function. This would appear to be the crux of the problem.

There is no source from which any police department, regardless of its size, can obtain the services of a qualified policeman. The manpower wastage at the smaller municipal level is quite high. The police chief is forced to obtain his replacements from the street. Applicants are seldom interested in a police career and often lack in the slightest motivation to function as a policeman. They are primarily interested in a job and soon tire of the uncertain work hours, poor pay etc. and at the first opportunity they move on to other employment.

The small municipal police department cannot afford the luxury of standards for selection and employment. When one man leaves the services of a four man police department he represents 25 per cent of the effective force. The chief must fill this gap if he is to maintain a balanced shift schedule. He will be lucky to have even one applicant to fill the vacancy and often he must sacrifice quality to keep his force at full strength. Occasionally the chief may through good fortune obtain the service of a man with emotional stability, dedication and motivation toward a police career however, through his inability to supply a suitable training program the interest in policing deteriorates and likely prospect

moves to a field where he can receive adequate training to meet the challenge of his employment.

The municipal authorities are aware of their policing problems and the need for improvement. They require guidance and advice. I do believe the Alberta Police Commission could fulfil a very worthwhile service in this area. The problem outlined here exists in other parts of Canada and was prevalent in Ontario prior to the establishment of the Ontario Police Commission. One of its early tasks was to set up a police training program to fill the needs of the smaller municipal force. With a better qualified policeman they could then expect to establish better standards for selection of personnel. The Ontario Police Commission was able to arrest a lot of the unnecessary wastage of manpower at the municipal level.

I realize that the volume of men requiring this basic recruit training is not sufficient to support a full time police college operation such as those presently maintained in Ontario and Quebec, however, there is a need to establish a training program within the province to serve the needs of the smaller municipal police departments. While it is my intention to deal in greater detail with police training and police education in another

section of this report I do believe it is practical and desirable for the Province of Alberta, possibly through the guidance of the Alberta Police Commission, to establish a training program which will provide training material to the embryo municipal policeman for the period immediately following his engagement, in order that he may fully appreciate the extent of his responsibility. He should be exposed to a short, three week crash type course in what the Ontario Provincial Police call basic "Basic Training". Then, after he has experienced a few months of practical police work in his community, and when his motivation toward a police career is more determined he could be given a further course of six weeks to round out his development. The Alberta Police Commission could also institute a program of monthly bulletins to all police personnel in the province which would serve to keep them on their toes with respect to new developments in policing techniques, procedures or changes.

Along with an acceptable training program I believe the Alberta Police Commission could then establish minimum standards for selection and probably through the facilities of other government agencies provide some means for pre-enlistment psychological testing to eliminate those

candidates for the police service who may not be emotionally suited or properly motivated for a police career.

While I have stressed the fact that there is no source from which a municipal police department can obtain the services of qualified policemen, I must warn against the possibility of commercial organizations such as security services for example, entering into contracts with the smaller municipalities to provide policing service.

A few years ago a number of the smaller municipalities in Manitoba and Saskatchewan, frustrated in their attempt to obtain the services of experienced policemen and acting more or less in desperation, entered into contracts with a commercial security guard organization to supply what they were assured would be qualified men to carry out the policing responsibility. The project was highly unsuccessful and worked to the detriment of the municipality. The quality of the police service left much to be desired.

The security service received a specified fee from the municipality. The so called municipal policeman received his salary from the security service who retained a percentage for their services. The men so employed had a divided responsibility and loyalty which rested largely

candidates for the police service who may not be emotionally suited or properly motivated for a police career.

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with their employer - the security service. In one case I recall the municipality permitted their "hired" policeman to retain a percentage of the fines payable to the town as part of the salary contract.

The National Police Services of the Royal Canadian Mounted Police which include identification and scenes of crime assistance are available only to accredited police organizations. The municipalities concerned were therefore denied these very valuable investigational services which are normally available without cost through the Royal Canadian Mounted Police.

This whole procedure for municipal policing was so vulnerable to abuse and corruption that the provincial authorities took steps to curtail its operations. The provision for the extension of Royal Canadian Mounted Police services to towns with a population of less than 1,500 under the provincial agreements was a direct result of this most undesirable venture into the field of municipal policing by commercial enterprise.

There has recently been an indication that the proprietor of a commercial school located near Airdrie, Alberta and originally intended for the training of security guards is embarking upon a similar plan to

provide contract policing to the smaller municipalities in Alberta who are desperate in their need for police personnel. He recently negotiated a contract with the Town of Coleman to perform the police duties with one man. The Town of Coleman apparently pays the school who in turn pays the salary of the policeman after deducting their percentage for service. I am given to understand that he has a similar contract already signed and negotiating another with the Town of Edson to provide police service. In a training class presently under way he is training six men whom he hopes to farm out with the smaller municipal police departments on a contract basis.

This is not a satisfactory arrangement and I feel that everything possible should be done to discourage attempts by commercial enterprise to become involved with the policing services in Alberta. It is essential that anyone employed with municipal policing should be directly responsible to only the municipal officials who in turn are responsible to the Attorney General. There can be no third party involvement with a commercial enterprise.

The fact that this undesirable situation is developing within the province indicates a pressing need for con-

sideration at the provincial level to the policing problems of the smaller municipalities.

Policing is becoming a highly qualified vocation requiring well trained personnel. Policing is a costly business. It might be compared to insurance. Most of us carry what we feel will be adequate to cover our personal possessions. We try not to over insure. We then bask in the sense of security that we have provided ourselves with adequate protection. Some of us pay less than others do for what we believe to be equal protection and, as long as all goes well and we are not required to put our insurance to the full test, our protection does appear to be adequate. And it is less expensive. When the time comes when we need the full protection we often learn to our sorrow that the bargain insurance did not cover the essentials. In police service as in insurance we find that we get exactly what we pay for. As long as all goes well we may be able to get by with inefficient, untrained and poorly motivated policemen however, in a time of emergency when efficient policing is essential the low key police service is as ineffective as is the cheap insurance.

It could be suggested that the problems outlined

in this report might be solved simply by asking the Royal Canadian Mounted Police through contract to take over the policing of all the smaller municipalities - which would mean the Royal Canadian Mounted Police would be responsible for policing the whole of the province with the exception of the four principal cities. While there may be some merit to this suggestion there are a number of reasons why it might not be generally acceptable.

The increasing duties of the Royal Canadian Mounted Police at both the federal and provincial levels throughout Canada would seem to preclude the Royal Canadian Mounted Police accepting any wholesale responsibility for municipal policing in the foreseeable future. Other provinces would expect similar service and the drainage on available manpower would be excessive. It is hardly likely that the Government of Canada would agree to the additional financial involvement.

There is also the fact that many of the smaller municipalities prefer to maintain their own police service. It was apparent to me during my meetings with municipal officials that they value their right to self government very highly. They would object most strenuously

to any suggestion that might interfere with local autonomy. While they appreciate that policing under an R.C.M.P. contract provides efficient personnel and removes the manpower problems there are those who would prefer that the direct control of their police service remain within the community. During my discussions with the municipal authorities there were two opinions expressed that I found to be of interest and which I feel obliged to mention here merely for what they are worth.

We frequently hear reference to a "police state", usually when the news media are dealing with the aftermath of some civil disobedience in which the police have been forced to participate actively. The very phrase imposes in our mind a picture of brutal cossack like policemen charging the innocent citizens with swinging clubs. To the majority of people this thought is almost laughable yet, it is frequently expressed by a growing section of our more militant young people and we cannot afford to completely ignore the possibility. It has happened elsewhere. I was surprised with the sincerity of those who raised this point when we were discussing the possible advantages of a more or less National Police Service which some felt might eliminate the policing problems of

the small municipality.

On more than one occasion during my survey I was asked for an opinion as to what might occur if, through some difference between governments at the federal and provincial levels or for austerity reasons, the federal government decided to restrict or eliminate the services of the Royal Canadian Mounted Police at either the provincial or the municipal levels or both. In answering this hypothetical question I could only offer the suggestion that to effect such a change would require a transition period of several years during which the necessary adjustments could be implemented. Should such a change ever occur however only the provinces of Ontario and Quebec would remain stable and a great deal of chaos could exist within the other eight provinces. I cannot visualize such a situation developing however it does rest in the minds of some who strongly favour retaining a good balance of efficient municipal police in Alberta.

While much of what I have written in the preceding two paragraphs can be relegated to conjecture, I do believe that the Alberta Police Commission should retain an open mind on any matter that could effect the police service of this province. In the meantime the needs of

the smaller police departments for guidance and assistance is of paramount importance and should be one of the initial objectives of the Commission.

Chapter 4.

THE ONTARIO POLICE COMMISSION

The infiltration of organized crime into the Province of Ontario was largely responsible for the establishment of the Ontario Police Commission. It has operated successfully since April 1, 1962. Much of the credit for the present day efficiency of law enforcement in Ontario is due to their direction and guidance. During 1960 and 1961 it became increasingly clear that organized crime, the type usually associated with American gangsterism, had extended its operations into Ontario, particularly into the field of illegal gambling activity.

It also became increasingly apparent that many of the existing law enforcement bodies were incapable of dealing adequately with this new challenge. Many of the smaller municipalities were providing only a bare minimum of police service. Standards for selection and training of personnel were lacking in many areas and frequently the smaller police departments offered poor police service. The burden for enforcement was left primarily with the larger municipal police departments and the Ontario Provincial Police. It was inevitable that crime, corruption, violence and gangsterism would

flourish in those areas lacking in good police leadership. Unfortunately, investigation confirmed that some police officers had actually been involved in complicity with the underworld.

Professor Desmond Morton of the University of Toronto conducted an extensive study of law enforcement related to gambling, at the request of the Attorney General for Ontario and recommended in his report the creation of a new authority to be charged with general supervision of the control of crime, and that the problems of law enforcement and crime be placed under the perpetual scrutiny of an independent body of a permanent character.

In an article relating the history of the Ontario Police Commission, W. R. Lee, an Intelligence Officer with the Commission, outlined its origin as follows;

> "What appeared to be envisioned was some form of permanent, non-political body which could carry out a continuous study of police needs and enforcement problems on a provincial scale and with authority to take remedial action to correct weakness. The Government concluded that the police system, which had seemed adequate in earlier times, was no longer capable of coping

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Police Commission, W. R. Lee, an Inspection Officer
with the Commission, returned to Malaya as follows:

"What appeared to be envisioned was some form of
permanent, non-political body which could carry
out a continuous study of police needs and enforce-
ment problems on a provincial scale and with
authority to take remedial action to remove
the Government, [illegible] this [illegible]
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with present day threats of crime in the expanding growth and economy of the province. The Government decided that immediate steps must be taken to improve and modernize our police services, to ensure a higher degree of uniformity in qualifications, training and general efficiency of the police."

On April 1, 1962 the Prime Minister of Ontario announced the appointment of a three man Ontario Police Commission and included in the original terms of reference the following items.

1. To enquire into any matter relating to law and order in Ontario.
2. To ensure that local municipalities, responsible for their own policing, discharge that responsibility by providing adequate and proper police services within the municipality.
3. To enquire into the administration of any police force or the conduct of any police officer.
4. To suspend or terminate the appointment of any special constable.

It is of interest to note the similarity between the above and the terms of reference under which I am con-

with present day threats of crime in the expanding growth and economy of the provinces. The Government decided that immediate steps must be taken to improve and modernize our ~~of~~ ice services, to ensure a higher degree of uniformity in qualifications, training and general efficiency of the

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to ensure best used of qualifications, responsible for their own policing, discharge that responsibility by providing adequate and proper police services within the municipality.

3. To enquire into the administration of any police force or the conduct of any police officer.

To suspend or terminate the appointment of any [illegible] constable.

ducting the present study on behalf of the Government of Alberta. When he announced the establishment of the Ontario Police Commission, Prime Minister Robarts made a public statement which is quoted in part as follows;

> "In short, the Commission will play a general watchdog role over law observance and enforcement in Ontario, to the end that our province will always be an unhealthy place for cime and criminals."

It was my good fortune during January of this year to spend several days in Toronto where I had an opportunity to study and evaluate the operations of the Ontario Police Cimmission. I am greatly indebted to the Chairman, Mr. R. P. Milligan, Q.C., and to Judge T. J. Graham and Major General H. A. Sparling, the other two members of the Commission, for the time they devoted to me and the study I am making on behalf of the Government of Alberta. I am also indebted to Mr. J. S. McLaren, an Advisor with the Ontario Police Commission for his assistance.

I was most favourably impressed with what the Ontario Police Commission has accomplished in the eight years of its existence. To a police administrator familiar with policing problems in Alberta this included a great deal

that could be incorporated into our own police program to the advantage of the police, the public and to law enforcement generally.

I feel confident that the Ontario Police Commission in its capacity as the watchdog over law enforcement has fulfilled the obligation assigned to it in 1962. It has done much to make Ontario an unhealthy place for crime and criminals. I do not intend to convey any impression that crime in Ontario is on the decline. The members of the Commission would be the first to insist that they are yet only scratching at the surface. There is still much to be accomplished. The Ontario Police Commission has however improved law enforcement in Ontario to the level that some measure of control can be exercised. Had it not been for the dedicated guidance offered by the Ontario Police Commission and the programs it has initiated over the past eight years, the crime picture in Ontario today might well be on a par with some sections of the United States where organized crime does control the activity of the community. No law enforcement body can afford the luxury of self satisfaction, particularly when crime statistics show an alarming increase. This is definitely not a time for complacency. There

has however been a very desirable improvement at all levels of the police service in Ontario and there is now some definite indication that the infiltration of organized crime can be controlled.

Police departments throughout the Province of Ontario now have the advantage of more efficient, well trained personnel. The policeman has a greater job satisfaction, job security and a pride in his vocation. Knowledge and efficiency are the twin keys to effective law enforcement. This improvement in the Ontario policing situation did not occur overnight. In its initial stages the Ontario Police Commission had to make a wide study of police procedures in training, administration and general enforcement. Much time was involved with a study of existing police strengths and considering the methods required to eliminate weakness. An Alberta Police Commission can benefit greatly from the pioneer work performed by the Ontario Police Commission. There was an extensive re-organization of the Ontario Provincial Police and the Ontario Police College was established. Amendments were made to the Ontario Police Act to provide the Commission with the power to fulfil its function.

Listed hereunder is a partial list of the present

day responsibilities of the Ontario Police Commission as authorized in the Ontario Police Act.

39b. It is the function of the Commission,

(a) to maintain a system of statistical records and research studies of criminal occurrences and matters related thereto for the purpose of aiding the police forces in Ontario;

(b) to consult with and advise boards of commissioners of police, police committees of municipal councils and other police authorities and chiefs of police on all matters relating to police and policing;

(c) to provide to boards of commissioners of police, police committees of municipal councils and other police authorities and chiefs of police information and advice respecting the management and operation of police forces, techniques in handling special problems and other information calculated to assist;

(d) through its members and advisors, to conduct a system of visits to the police forces in Ontario.

(da) to require municipalities to provide such lock-ups as the Commission determines;

(e) to assist in co-ordinating the work and efforts of the police forces in Ontario;

(ea) to determine whether a police force is adequate

and whether a municipality is discharging its responsibility for the maintenance of law and order;

(f) to operate the Ontario Police College.

(g) to conduct investigations in accordance with the provisions of this Act;

(h) to hear and dispose of appeals by members of police forces in accordance with this Act and the regulations;

48(1) The Ontario Police Commission or any member thereof designated by the Chairman may investigate, inquire into and report to the Attorney General upon the conduct of or the performance of duties by any chief of police, other police officer, constable, special constable, or by-law enforcement officer the administration of any police force, the system of policing any municipality, and the police needs of any municipality.

48(2) The Commission or person holding an investigation under this section has and may exercise all the powers and authority that may be conferred upon a person appointed under the Public Enquiries Act.

48(3) The report of an investigation made at the request

of the council of a municipality shall be communicated by the Attorney General to the council of such municipality.

48a.1. The Lieutenant Governor in Council may direct the Commission to enquire into and report to him upon any matter relating to,

(a) the extent, investigation or control of crime; or

(b) the enforcement of law,

and he shall define the scope of the enquiry in the direction.

2. For the purpose of an enquiry under this section, the Commission may summon any person and require him to give evidence on oath and to produce such documents and things as the Commission deems requisite.

3. Subject to subsection 9, the Commission has all the powers to enforce the attendance of witnesses and to compel them to give evidence and produce documents and things as are vested in any court in civil cases.

58-2a Every appointment as a special constable is subject to the approval of the Commission.

3. The authority who has appointed a special constable, or the Commission may suspend or terminate the services of such constable, and written notice of the suspension or termination shall, if made by the Commissioner, a judge or magistrate, be forthwith transmitted to the Commission.

61(1) There shall be a police college to be known as the Ontario Police College for the training of members of police forces.

(2) The Commission shall operate the Ontario Police College and is responsible to the Attorney General therefor.

The Ontario Police Commission since its inception in 1962 has been an autonomous group designed to be completely independent of control by any government department except for the obligation to report yearly to the Attorney General and through the Lieutenant Governor in Council to the assembly. This permits the Commission to maintain complete impartiality in its dealings with the police, the public and governments at both the provincial and municipal level.

While the Ontario Police Commission has authority to investigate or enquire into and report to the Attorney

3. The authority who has appointed a special constable, or the Commission may suspend or terminate the services of such constable, and written notice of the suspension or termination shall, if made by the Commissioner, Judge or magistrate, be forthwith transmitted to the Council.

61(1) There shall be a police police [illegible] in Bermuda [illegible] Military Police Corps [illegible] Bermuda of Life Forces.

(2) Comm[illegible] shall control [illegible] as [illegible] exercised on the [illegible] in Bermuda [illegible].

The Royal Police Commission [illegible] in 1962 has been an autonomous group [illegible] completely independent of control by any government department except for the obligation to report yearly to the Attorney General and through the Lieutenant Governor in Council to the [illegible].

General upon the conduct of or performance of duties by any chief of police, other police officer etc., (section 48(1)), it is the normal procedure of the Commission wherever practical to refer all such complaints received, regardless of origin, to the directing authority of the police department involved in order that he might have the opportunity to exercise his prerogative to investigate and take whatever action may be indicated. The Commission then reviews the resulting report and if satisfied with the action taken, will so advise the complainant. The Commission does, however, have the right to require additional investigation and if necessary will call witnesses to clarify any point of concern. Should the complaint be of sufficient magnitude the Commission could exercise its powers under the Public Enquiries Act. I am informed however that this is a last recourse and the usual procedure is for the first investigation to remain with the local police authority.

The decisions of the Ontario Police Commission have not always met with the instant approval of all concerned, particularly during its early period of organization when many of its innovations interfered with the placid atmosphere adopted by some police administrators. There

is today however, a very favourable reaction to the operations of the Commission by policemen throughout the province, from senior officer to junior constable rank. Among its more noted accomplishments are the following;

(1) It provides as avenue for appeal for any citizen who may feel that his complaint against a policeman for abuse or dereliction of duty has not received appropriate action by the head of the police department involved (48-1). The actions of the Ontario Police Commission in this particular area are highly regarded by the majority of police officials. They know that when they do their job properly and thoroughly investigate the public complaint, they will receive the full support of the Commission and the public they serve. The members of the Commission are highly respected men, known for their impartiality and the public accept their decisions with confidence.

(2) The Commission has the authority to determine adequate policing for any particular area, (39ea). This provides more uniformity in policing service, particularly in the less populated areas and has improved the efficiency of law enforcement.

(3) The Ontario Police College functions under the direction of the Commission and offers high standards of police training at all levels. This has raised the standards of policemen throughout the province, particularly to the members of the smaller municipal departments who for economic reasons cannot provide suitable training facilities.

(4) The Commission has brought about a better co-ordination of work and cooperation between police departments resulting in a greater degree of efficiency.

(5) The municipal policeman at all rank levels now has job security. The municipal constable serves in a probationary status for his first eighteen months. He then receives a permanent appointment and has the right to appeal any action by the municipality for his dismissal to the Ontario Police Commission. A police chief may also appeal a decision for his dismissal to the Commission. This is a most desirable procedure and has improved the moral of policemen throughout the province.

(6) The Ontario Police Act provides a uniform disciplinary code for all police services operating within the province. The normal procedure is for internal discipline within the members own department with appeal

(3) The Ontario Police College instructors under the direction of the Commissioner [illegible] police training [illegible] level. The [illegible] statement [illegible] the privileges [illegible] lary. The [illegible] small municipal [illegible] who for economic [illegible] provide [illegible] facilities.

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privilege to his local Board of Police Commissioners however he does also have the right of a final appeal to the Ontario Police Commission should he feel that he was treated unjustly. This procedure is beneficial to the policeman as it removes the possibility of personality or local politics entering into the field of police discipline. I am not being facetious when I suggest that there have been occasions when the small town municipal constable could put the kiss of death on his job by merely marking the car of the mayor's wife or some prominent local politician with a parking violation. Fortunately this form of abuse has greatly diminished in recent years. The appeal procedures adopted by the Ontario Police Commission however now provide the policeman with protection.

In a sense the Ontario Police Commission is a buffer between the policeman and the public he serves. It has accomplished a great deal to improve the lot of the policeman and through its strict impartiality has established public confidence in its deliberations. When a police commission is appointed for the Province of Alberta, and I feel this is inevitable, I could make no better recommendation than to suggest that the members

of the Alberta Police Commission study the work and progress of the Ontario Police Commission over the past eight years. Through trial and error it has developed very worthwhile improvements in the field of law enforcement that can be readily applied to the police service in Alberta which I am sure will work to the advantage of all concerned.

Chapter 5.

THE QUEBEC POLICE COMMISSION

My recent visit to the Quebec Police Commission in Quebec City was a most pleasant experience. Both the President of the Commission, Judge Roger Gosselin, JPC., and Commissioner Gerard Tobin went to extreme to provide me with all available information of their operations. If I should write less with respect to the activities of the Quebec Police Commission than I have about the Ontario Police Commission it will merely be to avoid a repetition of what I have already reported. In fact, when the Quebec Police Commission was established in August 1968 its members made a special study of the Ontario operations and adopted many of the Ontario features that could be applied to the police service in Quebec. Basically there is a strong similarity in the operations of both the Ontario and Quebec Police Commissions. The Quebec Commission has accomplished much during its short existence however a great deal of its time and effort has necessarily been directed toward organizational work.

Unlike the Ontario Police Commission which owes its birth to an official enquiry into unsatisfactory police

conditions, the Quebec Police Commission came into being largely as the result of pressure over a period of years by the executive of the Quebec Police Chiefs Association. Prior to his appointment as President of the Commission, Judge Gosselin was a Crown Prosecutor. Commissioner Tobin was for many years a police administrator and his fellow member, Commissioner Romeo Courtemanche a retired Deputy Commissioner of the Quebec Provincial Police.

Prior to 1968 the police service in the Province of Quebec left much to be desired. The Quebec Provincial Police provided capable police service in the rural areas much as the Royal Canadian Mounted Police do in Alberta. The Montreal City Police and the many municipal police departments that fringe the Montreal area gave efficient service to the great mass of population that centers in that area. The police service provided to the smaller communities was however, generally much less than adequate. Police personnel had little or no training and possessed very limited qualifications to perform the responsibilities for law enforcement. The temptations for corruption were obvious.

On June 21, 1968 the Legislature of the Province of Quebec established the Quebec Police Act which included the authority for the Quebec Police Commission. Section 16

specified that the Commission shall "promote the prevention of crime and the efficiency of the police service in Quebec." An outline of the initial objectives of the Commission is contained in the following extract from the first annual report of the Commission, compiled after only five months of operation.

> "To make Quebec police services more efficient, the Commission is to establish a central information and statistics service, organize a research service to improve methods used by the police in detecting and suppressing crime, visit or cause to be visited by its officers and employees the Quebec Police Force, the municipal police forces and the municipalities, advising them on police matters, and adopt by-laws setting up various standards, these by-laws being subject to approval by the Lieutenant Governor in Council.
>
> The Commission shall exercise the powers of inquiry conferred on it by the Act whenever so requested by the Lieutenant Governor in Council, the Attorney General, a municipal council or private citizens, or of its

own motion.

Furthermore, the Commission will act as an appeal court if a Director or Chief of Police is dismissed or has his salary reduced.

The Commission shall make a report to the Attorney General of its activities for the preceding year, including all information the Lieutenant Governor in Council or the Attorney General may prescribe, and this report shall be laid before the National Assembly.

Moreover, the legislature saw fit to grant this Commission full freedom of action; considering the tasks it was to perform, this freedom is essential, since the Commission will sometimes be acting at the behest of the Lieutenant Governor in Council, sometimes of the Attorney General, sometimes of municipal councils, policemen or police forces, sometimes at the request of citizens, or on its own initiative."

The Quebec Police Commission was somewhat surprised by the large volume of requests received from private citizens, municipal councils and police departments

for enquiries or investigations. The time involved by the members of the Commission in an effort to meet these demands considerably delayed their initial staff organization program. One of their first tasks was to prepare an inventory on every police force within the province listing all pertinent information with respect to personnel, education and training qualifications, equipment, etc.

The Commission has set up a committee of interested parties including police chiefs to study standards for admission to the Quebec Police Force, or to a municipal police department regardless of its size and for the appointment of special constables. Another similar committee has completed a study into establishing a standard for uniforms and badges to be worn by members of the municipal police forces throughout the province. The Commission will now be in a position to regulate against the use of police type uniforms by security guards and other non-police organizations.

I was fortunate indeed to have had an opportunity to study the operations of the Ontario Police Commission which had developed maturity through eight years of operations and the Quebec Police Commission which is in

the throes of organization. I was impressed by the dedication of the members of both the Ontario and the Quebec Police Commissions. I would suggest to those who will make up the Alberta Police Commission that there is much to be gained from a study of the accomplishments of the Quebec Police Commission during the first eighteen months of its existence.

Chapter 6.

MUNICIPAL BOARDS OF POLICE COMMISSIONERS

The responsibility for providing adequate policing in the cities and towns of Alberta having a population in excess of 1,500 people rests with the municipality concerned. The immediate direction of the police department is usually delegated to the chief of police who is responsible to the municipality concerned through a police committee of one or more members or through a Board of Police Commissioners in the larger centers. Sections 94 to 100 of the Municipal Government Act, Chapter 68 RSA provides authority for a municipal council to appoint by by-law, a board of police commissioners consisting of one or more persons.

Section 95(1) of the same legislation permits the municipal council to enact a by-law prescribing the powers and duties to be exercised by the board of police commissioners and section 95(2) indicates that the by-law may provide as follows;

(a) that the police force shall consist of a chief of police and as many constables and other officers and assistants as may be considered necessary from time to time by the board.

(b) that the board shall appoint the members of the police force, who shall hold office during pleasure.

(c) that the board shall have sole charge and control of the force and of the police department, and

(d) that the board from time to time may make such regulations as it may consider expedient for the government of the force, for preventing neglect or abuse and for rendering the force efficient in the discharge of its duties.

Section 96(4) provides authority for the board to delegate to the chief of police the right to maintain discipline within the police force and the right of the chief to apply penalties against members of the force who are guilty of breaches of duty or discipline.

In my study to assess the feasibility and need for an Alberta Police Commission I visited many cities and towns in Alberta. I held meetings with municipal officials and this gave me an excellent opportunity to enquire into the operations of the boards of police commissioners associated with both the large and small municipal police departments. I discussed policing problems with representatives or persons associated

with boards of police commissioners including mayors, councillors, judges, magistrates, chiefs of police and in several instances community minded private citizens who serve voluntarily as a member or chairman of a board. In some cases I was privileged to meet with the full panel of the board. This gave me an opportunity to outline briefly the terms of reference under which I am conducting this study and the manner with which police commissions operate in other provinces at both the provincial and municipal level.

I assured the board members with whom I was privileged to meet that if my study should suggest the establishment of an Alberta Police Commission it would not in any way imply that the provincial commission would replace or denigrate the responsibilities of the municipal boards of police commissioners but rather, that the provincial police commission would be an impartial body of men having a wide knowledge in the field of law enforcement from whom the municipal board might seek advice and guidance.

I realized of course as did the people with whom I discussed the possibilities for an Alberta Police Commission that I exercised no authority and I therefore limited my remarks to an explanation of the functions

of the Ontario and Quebec Police Commissions and how they have solved many of the police problems common to Alberta. I was also able to outline some of their avenues of assistance, particularly as a final appeal for public complaints of police abuse or dereliction of duty and in furthering the training for smaller municipal police departments.

I am pleased to report that all those with whom I discussed the possibility for an Alberta Police Commission were most enthused with the prospect. I certainly had reason to assume from my interviews that municipal officials throughout the province will support the establishment of an Alberta Police Commission. Many of those interviewed were frankly concerned that they were not always qualified through experience to efficiently deal with policing problems and expressed approval that they might in the foreseeable future be able to seek advice from a capable police commission.

At most of the smaller localities there appeared to be a reasonable rapport between the chief of police and the chairman of the police committee. This may result from the fact that the police committee in many of the smaller municipalities consists of one member.

It is then merely a case of the two men getting together and solving their problems through mutual agreement. In most cases I found that the chiefs of police in these smaller municipalities are grateful for the support received from the municipal council.

There are areas however in which the relationship between the chief and the board of police commissioners leaves much to be desired. This seems to be more prevalent where the Board is large in numbers and the opportunity for misunderstanding, personality clashes or conflict of interest is greater. That some friction will exist is understandable. We are dealing with human beings and each will be jealous of what he considers to be his rights. The powers that may be conferred upon a board by virtue of existing legislation are very broad and should they not be applied with some restraint they can hamper the efforts of the chief to provide efficient police service.

It may well be that the powers contained in Section 95(2) of the Municipal Government Act are too broad in their scope and, should the by-law be amended every time there is a political change within the municipal council the effectiveness of the by-law may work to the detriment

of the police service. Under the present system it is possible for the members of the board to set themselves up as the investigator, prosecutor and judge of police activity. Unfortunately this does not always work in the interest of good policing.

Where friction does exist between the chief of police and the board it is usually related to a complaint against the force or its members or with respect to some matter of internal discipline.

Very few of the smaller police departments have a prescribed code of discipline and there is little uniformity in the methods used with respect to a breach of conduct or neglect of duty. All of the larger municipal departments have a disciplinary code which permits the chief of police to maintain discipline within his force with the right of appeal by the member concerned to his board of police commissioners. Friction frequently develops when the board does not support the chiefs actions in this respect.

The Ontario Police Act provides a code of discipline and procedures that applies to all municipal police departments regardless of their size. The responsibility for discipline rests with the chief of police and the policeman concerned has the right of appeal to first his

own board of police commissioners and finally to the Ontario Police Commission. I feel this system has considerable merit and I would recommend that the Alberta Police Commission consider including such provisions in their revision of the Alberta Police Act.

Complaints from the public with respect to the police service or the conduct of its members frequently result in conflict between the chief and his board. The chief feels that all such complaints should be referred to him in the first instance in order that he may investigate them thoroughly and take whatever disciplinary action may be indicated before the issue is discussed at an open meeting of the board and in the presence of the press.

In the majority of cases the board does honour this procedure however there are times when a complaint will be made directly to the board and instead of following the simple procedure of referring it to the chief of police for attention, it is discussed at a public meeting and only a one sided version is available to the press. The result is quite frequently a newspaper crucifiction of the police by implication. When the police explanation is placed before the board a month later it is seldom of

any further news value. The public has been given the complainant's version and the police image has been damaged.

It is almost impossible to appoint a board of police commissioners under our present system which will be completely free of a conflict of interest. A lawyer for example is usually considered as an asset to a board because of his legal background, yet, it frequently occurs that he is the legal representative of a company that is involved in a police investigation or that one of his valued clients is the complainant with respect to police abuse or neglect. Occasionally the policeman appearing before the board on a disciplinary matter finds his own personal lawyer sitting as a member of the board and hearing his appeal against a decision of the chief of police.

It frequently occurs that a chief of police on his rise through the ranks of his department will incur the wrath of one or more members of the legal profession. Over the years this animosity may become very deep rooted. Relations can become difficult when the chief faces one of these individuals on his board of police commissioners. It would seem therefore that a lawyer, especially one

that is actively engaged in a criminal practice is not always a suitable candidate for a board of police commissioners.

One of the magistrates I contacted suggested that a magistrate should not serve as a member of a board. He stressed that the nature of his work and the necessary close association with members of the police department made this undesirable. A principal or school teacher is also frequently faced with a conflict of interest when he finds himself required to make an impartial judgement against a young policeman whom he may have had as a student. Business men are usually a good choice provided they are not the managers of the town's larger industry making the police department vulnerable in this respect. The manager of a hotel housing a beverage room would not necessarily be a good choice. When a board becomes top heavy with members of the municipal council they frequently cannot agree among themselves and often their views and opinions can be dominated by political considerations.

The possibility for conflict of interest under our present system is so great that it suggests that another method for selecting members for a board of police commis-

[illegible] is actively [illegible] in a criminal prosecution is not always a suitable candidate for a board of police commissioners.

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[illegible]

sioners should be considered.

Section 7 of the Police Act of Ontario specifies that every municipality having a population in excess of 15,000 shall have a board of commissioners of police which shall consist of;

(a) the head of the council;

(b) a judge of any county or district court designated by the Lieutenant Governor in Council; and

(c) such third person as the Lieutenant Governor in Council designates.

While the requirement for a board of the composition stated is mandatory for a city or town in excess of 15,000 people the Police Act contains a voluntary provision for a town of less than 15,000 to constitute of similar composition by by-law. I am advised that 93 municipalities in this latter category have so acted. The Police Act also clearly defines the powers of a board and its responsibilities for the policing and maintenance of law and order in the municipality and the requirement that the members of the police force shall obey its lawful directions. .

There are a number of features of the Ontario system which I feel could be applied effectively to Alberta and

which would work to the advantage of all concerned.

(1) The board is appointed on a continuous basis and therefore over the years has an opportunity to acquire and develop their knowledge of police problems thus making them better qualified to deal with the responsibilities of policing.

(2) The mayor is the only elected representative thus minimizing the possibility for local politics interfering with the police operation.

(3) A board of three members, particularly when appointed on a continuous basis reduces to a minimum the possibility for any conflict of interest.

I believe there is sufficient merit involved in the Ontario system to make it desirable that we consider the possibility for a similar system in Alberta. In suggesting this I do not intend to imply that anything should be done to interfere with the right of a municipality to direct its own police operations. I do believe that a committee could be set up by the Attorney General with representation from the provincial government, the municipalities and the police chiefs to study all the

possibilities and implications.

If this is not possible then I would suggest as an alternative that the Alberta Police Commission, when revising the present Alberta Police Act include some directive requiring municipal police boards to refer all complaints respecting misconduct or dereliction of duty to the chief of police for investigation and to report back to the board before there is any open discussion in the presence of the public or the press. If this procedure can be made a requirement a great deal of conflict between the board and the chief of police will be eliminated.

While I think the Ontario system has much to commend it for consideration in Alberta it is not without its critics. In a public lecture at the University of Toronto in November, 1969, entitled "Criminal Law and its En-Forcement in a Permissive Society" Professor J. L. J. Edwards, the Director of the Centre of Criminology for the University of Toronto was defending the Ontario system and said in part;

> "The existing framework, at least in this province, provides the right kind of checks and balances that are so necessary to ensure the impartial

application of the criminal law. If some changes are felt to be necessary in the composition of those local supervisory bodies great care must be exercised in not mutilating the essential foundations of the police commission system. I am by no means advocating the assumption of direct supervisory powers by the Minister over the day-to-day activities of the various police forces. This would be as much a curse to my way of thinking as the policy presently being advocated in many quarters for a return to the system of control over local police forces by commissions or committees composed of a majority of elected representatives drawn from the local municipal council. Past history suggests that this path leads to the erosion of the independent exercise by the police of their statutory and common law powers. To my mind the arguments against permitting the resurgence of local politics and political interference in the area of law enforcement far outweigh the criticisms levelled against the present system of police commissions." (Ontario System)

Chapter 7.

THE ALBERTA POLICE ACT

Although the Police Act of Alberta, Chapter 236, R.S.A., 1955, contains some worthwhile sections, on the whole its provisions do not meet present day requirements. The Act is badly in need of revision. I believe that one of the first duties to face the Alberta Police Commission will be to advise the Attorney General with respect to the changes required in the Alberta Police Act in order that the Police Commission will be able to fulfil its proper function.

It would also be advisable wherever possible to remove those sections from other provincial legislation which refer to law enforcement and include them in the Police Act. Section 101(a) of the Municipal Government Act for example permits the appointment of special constables. Sections 94 to 101 provide for the appointment of local boards of police commissioners.

Although it is not within my terms of reference to suggest amendments to the Police Act, I do believe consideration should be given to include reference to the following.

(1) Authority to consult with and advise municipal

police boards, police committees of municipal councils, chiefs of police and other police authorities on all matters related to police and policing.

(2) The creation of some uniformity in the composition of municipal police boards or police committees to eliminate the personal or political implications or conflict of interest when dealing with police matters.

(3) Authority to assist in coordinating the work and establishing a greater degree of cooperation as between all police forces in Alberta.

(4) Authority to determine if the policing in any specific locality is adequate to meet existing needs.

(5) To establish training facilities and a training program designed to improve the knowledge and efficiency of all policemen but with emphasis in the initial stages for the personnel of the smaller municipal police departments and directed specifically to basic police training.

(6) To establish minimum standards for selection and training and a standard for uniforms and badges worn

by municipal police within the province.

(7) Authority to establish a uniform disciplinary code for all police departments in Alberta with the right of appeal first to the local Board of Police Commissioners and a final right of appeal to the Alberta Police Commission.

The Royal Canadian Mounted Police who police the province under contract are already governed by a very strict and effective disciplinary code with right of appeal to the Commissioner of the Force and a three man Appeal Board. I feel that the suggested legislation would necessarily have to contain some exemption with respect to disciplinary matters involving offences coming within the Royal Canadian Mounted Police Act which is a federal statute.

(8) Authority to investigate or enquire on behalf of the Attorney General, a municipal council or any private citizen or on its own initiative, into the conduct of or the performance of duties of any chief of police, police officer, constable, special constable, by-law enforcement officer, auxiliary police constable, the administration of any police

department and the police needs of any municipality.

(9) The authority to exercise all the powers conferred by the Public Enquiries Act.

(10) Authority to act as an avenue of appeal for any member of a municipal police department who may feel aggrieved by the punishment awarded by his police chief or the municipal board or committee.

(11) When directed by the Lieutenant Governor in Council, authority to enquire into and report on matters relating to the extent, investigation or control of crime or the enforcement of law in any area.

(12) Authority to appoint special constables and by-law enforcement officers with clear indication as to the duration of appointment, area of jurisdiction and the exact nature of the duties to be performed.

I could offer no better suggestion to the members of the Alberta Police Commission or any other person who may be involved with the revision of the Alberta Police Act than that they make a study of both the Ontario Police Act and the Quebec Police Act. I will make copies of both available to the Attorney General for future reference.

Chapter 8.

SELECTION AND TRAINING

Selection

Selection and training are as twins - you can't have one without the other. If we develop a top quality training program, and this should be one of the first considerations for the Alberta Police Commission, then we must also select a top quality candidate for the police service. We cannot afford to waste our time, effort and money in training a policeman who is lacking in the qualities required of a good policeman.

While there are a number of basic physical qualities we seek in an applicant including height, weight, general appearance etc. and because of the nature of his work he must be healthy and of good character, it is important that we be satisfied that the man we select to protect and preserve the peace in our community is emotionally suited to the task. We must be assured that he is mature in his understanding of the problems of others and has the right attitude to cope with the problems consistent with our present day permissive society.

In order to develop a desirable set of standards the Alberta Police Commission would no doubt first set up a committee of police chiefs from all levels of municipal

policing to recommend minimum standards for the small, medium and larger municipal departments with the hope that eventually the top standard might apply to all levels of policing in the province. The Commission could also enlist the aid of other government departments to establish desirable psychological and educational tests and a workable method for processing applicants for the police service.

It has been said that modern police work is a highly complex task often requiring that the policeman possess some of the qualities of a doctor, a lawyer, a clergyman and a humanitarian. This is true. In one shift period the average municipal policeman can be called upon to render emergency first aid or to comfort an injured accident victim, he may serve as the referee in a neighborhood squabble, act as an advisor or maybe just be a good listener.

Whatever we may think about our policeman we must admit that his task is not an easy one. When a difficult task is to be performed the careful selection of the man who is to accomplish this task is of paramount importance - in law enforcement we must always choose the best. If we are to obtain the best man for the

job then we must set our selection standards at a high level.

If we are prepared to accept that the job of the policeman requires a very special applicant, and, if we create standards necessary to assure that only the best will eventually be selected, then we must also be prepared to offer the candidate sufficient inducement by way of salary, job interest, job security, retirement benefits and of paramount importance - an opportunity to better his position through education and in-service training programs.

It may be of interest to note that more than half the states in the United States possess legislation governing the selection and training of police personnel. The California law for example, requires mandatory participation and a nine man commission appointed by the Governor has set up minimum standards for education, physical, mental and moral fitness to control the acceptability of candidates for the police service.

Police Training

It would be quite easy for one who has devoted

several years of a police career to the problems of police training to write many pages extolling the needs for a desirable training program for all levels of the police service in Alberta. I do not think I need devote much time or space to that purpose. At the present time there is no police training school in western Canada that can provide the training required by the medium sized or smaller municipal police departments.

In Chapter 2, "Police Services in Alberta", I mentioned that the Royal Canadian Mounted Police and the police departments of Edmonton and Calgary provide a high level of police service. In Chapter 3, "Police Problems in the Smaller Municipality", I stated that this high level police efficiency resulted largely from the fact that both Edmonton and Calgary had sufficient police strength and finances to insist upon high level standards for selection, well established training programs and a proper incentive for their members to be assured of a rewarding police career. Unfortunately this desirable situation does not exist with the smaller police departments and even Lethbridge and Medicine Hat with a police strength of 47 and 39 respectively cannot support a proper training program within their own

resources.

During my recent visit to Ontario and Quebec I had the opportunity to discuss police training with the Director of the Ontario Police College, with the Director of the Police Institute of Quebec, the training officers of the Ontario Provincial Police, the Metropolitan Toronto Police, the Montreal City Police, the Quebec Provincial Police and with the Senior Training Officer at Royal Canadian Mounted Police Headquarters, Ottawa. I have also enquired into the police training being carried out by the Edmonton and Calgary City Police.

From this source plus that acquired during my years of interest in police training, I have obtained a great deal of valuable training material from which a worthwhile training program can be developed to serve the medium and smaller police departments in Alberta. When the Alberta Police Commission is established I will be very pleased to make any or all of this material available to whoever may be charged with the responsibility for establishing the training program.

At the present time, when a man is engaged as a policeman with the average small municipal police department he is equipped with a uniform, a firearm and turned

loose on an unsuspecting public to acquire the knowledge and wisdom required of a law enforcement officer, through the process of trial and error. There is frequently not even a suitable basic police constables manual or handbook available from which he can seek guidance.

I visualize a police training program that will provide a basic policeman's handbook for the new policeman on the first day of his engagement. One that will supply him with the answers to a few basic questions. The fact that he has definite responsibilities to the public, that a policeman is given wide powers effecting the liberty of the individual and that penalties exist for abuse of these powers. The booklet should inform him of the procedure for arrest and stress that an arrest is never made if the same ends can be accomplished through the service of a summons. I need not list here the basic material required to give the new policeman a better understanding of his responsibilities.

At the earliest possible moment the new policeman should be exposed to a short two or three week crash type course designed to provide the necessary basic knowledge of his job. In the initial stages it may be necessary to provide this training on a correspondence

basis with some guidance from the local chief of police or from a mobile training unit. Then, after he has had four or five months of practical police experience in his community, and when his interest toward a police career is more determined, he can be brought into the Alberta Municipal Police College for a more advanced six week course to round out his development. In the early stages this basic program might have to be rather elementary however, as the standards for selection improve the quality of the police candidate the level of the police training can also be elevated.

I believe this program could be augmented through the distribution of a monthly bulletin or training circular to all police departments which would contain information dealing with recent law amendments, new legislation, accepted police procedures and techniques, and sufficient material to require the policeman to at least refer to the books that should be available in his department. This will serve to keep the policeman's training continuous. The Commission could build up a library of police training materials to be made available to municipal police departments upon request.

Fortunately the Government of Alberta already

possess a suitable police training school in Edmonton which up till two years ago was used to advantage in providing police training for the municipal police departments. The Alberta Municipal Police Training School has excellent classroom facilities and, while it is at present being used to house the Inspection Branch I am quite sure it would require little effort to return it to its original purpose. I am informed that the municipal police training courses previously available through the Alberta Municipal Police Training School in Edmonton were discontinued through a lack of candidates. This I am sure can be rectified.

I feel confident that a worthwhile training program offering the two week introductory basic course, the six week basic course and other short specialized police courses could keep the Alberta Municipal Police Training School occupied. There are a number of short courses of interest to all police departments, even the larger departments of Edmonton and Calgary that could be offered in this school. These would include courses in fingerprinting, photography, radar and traffic courses, supervisory and man management plus various phases of police administration.

The Royal Canadian Mounted Police have no training facilities at their Edmonton Headquarters and must use those available through the Canadian Army. I feel quite confident that the Royal Canadian Mounted Police would welcome the opportunity to use the facilities available at the Alberta Municipal Police Training School and in a reciprocal way I am sure we would be able to include some members from municipal police departments in their program. When I was in Ottawa recently Commissioner Higgitt of the Royal Canadian Mounted Police assured me that the Royal Canadian Mounted Police would render every possible assistance to further any training program that might be sponsored by the Alberta Police Commission. Chief Sloane of the Edmonton City Police also expressed enthusiasm for the suggested training program and offered the assistance of his department and their training facilities.

The proposed municipal police training program should include lectures from social scientists and correctional workers to help develop a better understanding between the law enforcement and welfare agencies. The training program should stress the need for a better understanding of community and human relations, and be designed to make the policeman aware of the political, economic

and social factors of his community. Lectures from psychologists, and sociologists should be included. Suitable lecturers could no doubt be obtained through the cooperation of the Department of Education.

I am highly enthused by the favourable reception I received from municipal officials and the police chiefs throughout the province. They recognize the need and I am satisfied that we will receive their cooperation in furthering our efforts to improve the standards for selection and training of our policemen.

We have thus far been discussing police training. Police training is that which is carried on within the exclusive jurisdiction and control of a police department or police training school. Police education is another matter and is that which is made available through colleges and universities.

Police Education

The Lethbridge Community College have this year offered a two year course in Police Science which they hope will lead the student to a satisfactory career in law enforcement. The student follows a course of study

associated with the liberal arts plus option subjects which may be of value in the field of law enforcement. The course is designed primarily to provide the young student who may not possess sufficient credits to attend a university degree course and who may be interested in a police career, to continue his education after high school with worthwhile studies until he can qualify for engagement with one of our police services. Through their extension services the Lethbridge Community College also hope to develop a course in law enforcement designed to increase and broaden the background knowledge and professional skills of practising peace officers.

This type of two level law enforcement program is well established at the Seneca College of Applied Arts and Technology in Toronto and I had an opportunity to discuss this form of police education with the course director during my recent visit to Toronto. Many of those who have graduated from the junior course are now actively engaged in law enforcement work. This would confirm the hope that such training will provide a potential source for recruitment. There are also a large number of active policemen attending the advanced course offered through the extension service and several of

these travel as much as one hundred miles twice each week to improve their education.

This type of program is well developed throughout the United States and Police Science programs are now available in more than 300 colleges and universities. In Los Angeles County alone there are 4,500 policemen currently enrolled in college programs. This form of police education has a two fold advantage to the police service. At the junior level it provides training for young college students who form a possible source for recruitment and through the extension services the serving policeman can be encouraged to improve his educational qualifications.

The Montreal City Police are involved in a similar form of police education which is made available through the cooperation of their Department of Education. Credits are required to qualify for promotion within the Montreal City Police Department. There are at present 1,800 of the 3,000 man municipal police department engaged with some form of educational betterment.

I am pleased to report that discussions have been underway for the past several months between representatives from the Attorney General's Department, the Police Chiefs

these travel as much as one hundred miles twice each week to improve their education.

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of Edmonton and Calgary, representatives from Mount Royal Junior College in Calgary and Dr. R. G. Fast, the Director of Instructional Services for the Alberta Colleges Commission, in an effort to develop a similar type program at Mount Royal Junior College. The prospects are very bright for a program to get under way in September, 1970 and eventually in Edmonton and possibly at Grande Prairie.

I believe the Alberta Police Commission could offer advice and leadership to the junior colleges in Alberta in order to strengthen and encourage their efforts to provide the police education indicated which may provide not only a good source for recruiting better qualified men into the police service of Alberta but also the incentive for practising policemen to improve their own educational qualifications. This is a desirable step forward and essential if we are to develop good police leadership for the future.

Chapter 9.

ADEQUATE POLICING

Section 15(1) of the Alberta Police Act, Ch. 236, RSA, requires that a municipality maintain a police force consisting of one or more municipal constables. There is no stipulation that the municipality must maintain a sufficient number of qualified constables to provide adequate policing.

While the increase in major crime has placed a responsibility upon the municipality to provide improved policing there is still a tendency on the part of many of the smaller municipalities to keep their local taxes in line at the expense of the police budget. They will frequently get by with two men when they should have four to provide adequate service.

One town in Alberta recently reduced their contract with the Royal Canadian Mounted Police for municipal policing in an effort to balance its budget. According to the present terms the town is without full police service two days each week and for eight hours of the twenty-four on each of the other five days. The rural Royal Canadian Mounted Police detachment is available during the other periods only for emergency

service. It is difficult to imagine residents of this town being required to check both their clocks and their calendars before contacting their police department.

If we are to maintain an efficient police service it is essential that it be adequate to meet the policing needs of the community in every area of the province. It is not possible to develop a definite formula as the needs for policing vary in each area. A heavily populated area of mixed races and particularly where there is considerable industry may require as many as two policemen for every thousand of population while a more remote agricultural area of old time residents could receive adequate policing from a ratio of one per thousand.

When the Police Act is revised, section 15 should be rewritten to require that every municipality maintain sufficient qualified constables to provide an adequate police service. The Alberta Police Commission should be able to serve a useful function as advisors to the Attorney General and to the municipality as to what should constitute adequate policing for any area when the issue is in doubt.

Chapter 10.

MISCELLANEOUS POLICE FUNCTIONS

When the results of any study are being tabulated there are always a few small items that do not quite fit into the designated chapters. These are usually lumped into one small chapter at the end of the report under the unrevealing heading of miscellaneous. I am afraid that this report will be no exception and I list hereunder a number of items which may present some problem or advantage to the police service and for which the Alberta Police Commission may be able to offer guidance.

County Constables

A problem situation exists with respect to the employment of county constables in some areas of the province. Primarily these men are employed on a part-time basis in conjunction with other county duties to enforce the by-laws of the county that do not fall within the responsibilities of other police forces. These are usually related to weed control, sanitation, garbage disposal, etc. There are probably no more than twelve men employed on a full time basis. Recently however, in some areas the county constables have become unnecessarily aggressive

and are involving themselves with law enforcement duties that rest within the jurisdiction of either the Royal Canadian Mounted Police or the municipal police.

The county constable is appointed as a special constable and unless their appointment is definitely restricted to by-law enforcement, they possess the authority of a peace officer in and for the county area or for the province should their appointment not be restricted in area.

These men are not trained policemen but are generally qualified to perform the limited duties associated with by-law enforcement. When they venture into the more involved aspects of law enforcement, they find themselves out of depth. I believe the problem could be readily resolved by having the present special constable appointment rescinded and then having all county constables re-appointed as "by-law enforcement officers". The new appointment could clearly define the duration, the territorial jurisdiction and specify that the appointment is limited to by-law enforcement. Section 31 to 36 of the Alberta Police Act would seem to cover the provisions for the appointment of special constables and when the Act is being revised it could make provision for by-law

enforcement officers. The procedure suggested is presently in use in Ontario and provisions for the appointment of by-law enforcement officers is contained in their Police Act.

Security Guards

The employment of security guards by industry, shopping centers, etc. is rapidly expanding and these men now serve a very useful purpose in providing a security service that does not come within the responsibilities of the police. I am given to understand that there are some 500 men employed within the province in this capacity. While the majority of their responsibility is related to those of a night watchman they will frequently be found in shopping areas involved with crowds and traffic control and related duties. They are also used in university areas as campus police where they are responsible for fire and building security, student parking, etc.

Unfortunately, many men employed as security guards wear uniforms similar to those used by the local police and the public are not always aware that they are not

actually members of the police department. Complaints are frequently received by the police department from residents who mistake the security guards for policemen. Both Ontario and Quebec have special legislation covering the licensing, appointment and duties of security guards and the so called private investigator, the man usually involved with obtaining divorce evidence. The Province of Quebec intends to restrict the uniforms used by security guards in order that they can in no way be confused with the uniform approved for municipal police. It might be worthwhile for the Alberta Police Commission to review the existing Alberta regulations covering the appointment and licensing of security guards and private investigators to assure suitable measures of control.

Auxiliary Police

During the early 1960's the federal government through their Emergency Measures Organization offered financial incentives to encourage the organization of auxiliary police to serve as an adjunct to the regular police force, both provincial and municipal. The objective was to organize men in both the urban and rural areas who would serve on a voluntary basis much

the same as the militia do, receive training and be available to assist the regular police in times of emergency.

I am reasonably familiar with this project as I was somewhat involved in the organization of auxiliary police for the Province of New Brunswick in 1963 when I commanded Royal Canadian Mounted Police operations in that province. I understand that auxiliary police still function well in New Brunswick and there is an equally effective auxiliary organization in British Columbia. Unfortunately, the federal emergency measures appropriations have been affected by austerity and funds for auxiliary police purpose have been restricted.

There has been a very active auxiliary police organization operating within the Province of Ontario for several years and in spite of the financial cut backs by the federal government the Ontario government are retaining their auxiliary police and are making funds available for this purpose. The Ontario Provincial Police maintain 17 units, each with 32 members, strategically located in cities throughout the province. These 544 men are now completely divorced from the Emergency Measures Organization and are included in the Ontario Provincial Police

appropriation.

The provincial auxiliary police receive regular training, are equipped with uniforms similar to those worn by the regular provincial force and are readily available to assist the regular force in time of emergency. A large meeting of young people is expected in the Mossport area of Ontario in July of this year which may attract as many as 200,000 from all areas of the continent. This will create serious policing problems. The Ontario Provincial Police expect to use at least 250 of their auxiliary police during this two week period.

The Metropolitan Toronto Police also maintain a very efficient auxiliary police unit, originally organized as a Civil Defence project with federal financial assistance and which proved to be of such value to the regular Metropolitan Toronto Police that they are being retained in spite of reduced financial grants from the federal government. This auxiliary constable receives training one night each week for 32 weeks. When initial training is completed the member is assigned to an active auxiliary unit with training on a bi-weekly basis.

Each member is expected to serve a minimum of eight

hours each month on "field duty" accompanying a regular policeman on beat or car patrol. They are also used extensively for duty at parades, major fires or any function requiring a large number of police for crowd or traffic control. During 1969 the Metropolitan Toronto auxiliary served 13,000 hours on patrol with regular members and 6400 hours assisting at special functions. There is no resentment by the Police Association and an auxiliary member is never used to replace a regular member.

I believe that we might be well advised to explore the possibilities for an auxiliary police unit in Alberta. It works to advantage in Ontario and other parts of Canada and provides a very valuable source for police assistance in time of an emergency. The auxiliary also lends very valuable assistance to their police department while performing their training projects. I believe the Alberta Police Commission could study the possibility for an auxiliary police service in Alberta. The Ontario Police Act, Section 45(a) deals specifically with the organization of auxiliary police.

Police Cadets

The term "cadet" refers to a young man who is too young to qualify for engagement as a peace officer yet is hired by the police department provided he meets the other engagement requirement. He is usually employed in a clerical capacity, central registry, fingerprint section and even in some minor outdoor work, until he reaches the qualifying age and can be absorbed into the regular force. This sytem works well and each year provides a number of recruits to the department having some background of the local police operations. The Edmonton City Police have six cadets with their department and favour the system. Winnipeg City Police use eleven cadets and these are the only two police departments outside of Ontario and Quebec who make use of the cadet system. The Metropolitan Toronto Police have 176 and of the total of 450 across Canada, Ontario have 334 and Quebec use 78.

Some years ago I had an opportunity to study the police cadet system used by the New South Wales Police in Australia and I was quite impressed with its potential. It absorbs a young man into the police service right

out of high school and provides him with training and employment until he reaches the age for enlistment as a regular member. It frequently occurs that a young man who is motivated toward a police career will obtain other employment during his pre-enlistment period and he becomes involved in another career. The police cadet system is inclined to retain these young men for the police service.

The cadet program in addition to providing a reserve of young men for future appointments to the force releases qualified police officers for more important duties. The Alberta Police Commission could no doubt study the possibilities of the cadet system to assess its value to the police service in Alberta.

Chapter 11.

ABUSE OF POLICE POWERS

There is one item included in the terms of reference under which I have conducted this study, one that has dominated my thinking throughout the entire survey, and which I consider of sufficient importance to bear repeating as an introduction to this chapter.

> "To enquire and report upon the feasibility for establishing a Board of Police Commissioners within the Province of Alberta whose function could include;
>
> (d) authority to investigate and conduct enquiry into complaints made by anyone with respect to misconduct, abuse of authority, excessive use of force or dereliction of duty on the part of any member of a police department or law enforcement agency operating within the Province of Alberta and where indicated, to recommend action or corrective measures."

It is right and most desirable that governments at all levels be concerned by the increasing number of reports of police abuse. Each and every such complaint must be carefully and thoroughly investigated and if necessary adequate corrective measures adopted. The complainant must always be personally informed as to the result of the investigation and the disposition of the complaint. The public have the right to be assured that the men they have designated to prevent crime and

preserve the peace, do so within the framework of the authority granted by legislation. The Alberta Police Commission can fulfil a very useful role in this respect.

O. W. Wilson, one time chief of the Chicago Police Department and a well respected police administrator said in an article entitled, "Police Arrest Privileges in a Free Society" that, "unbounded liberty and its restrictions place basic human rights in jeopardy. Unbounded liberty jeopardizes the security of life and property and, indeed, the security of a free society. Restricting liberty, on the other hand, jeopardizes the basic human right to freedom in movement and conduct."

In a democratic society it is necessary to establish a relationship between the powers the police require to effectively enforce the law and the rights of citizens to be protected from abuse from those who have the responsibility for law enforcement. The report of the Canadian Committee on Corrections published in March 1969 stated on page 40, "effective law enforcement requires that the police be given adequate powers and be supplied with the necessary resources to efficiently perform the functions which society has delegated to them. It is equally important that the police powers

and practices not undermine the society which they are established to protect."

Having been a police administrator for many years I have received and caused to be investigated a considerable number of complaints involving the men serving under my jurisdiction. I am pleased to report in all sincerity that the great majority of the complaints received with respect to police behavior, were either completely unwarranted or due to some explainable misunderstanding. I can say without equivocation that every complaint, regardless of its nature, was fully investigated by a senior member of the force. With the Attorney General, the public, the news media, the board of police commissioners, civil rights organizations and politicians ready to question the credibility of the investigation the head of a police department is not likely to leave himself open to charges of covering up an issue of police abuse. In fact, he realizes the complaint may indicate a weakness within his department and he will want to take corrective measures.

I will repeat a sentence from the preface to this report in which I stated, "anyone has the right to expect that his complaint will be fully investigated by an independent and impartial tribunal. We must however, be

assured that in the process, the policeman is not rendered impotent through unjustified public abuse." Unjust criticism often comes through misunderstanding, however, unwarranted criticism of the police leads to a lessening of public confidence and makes it more difficult for them to perform the important duties entrusted to them.

Police administrators must, therefore, try to understand the reasons for criticism of the police and the attitudes of those who lack confidence in the police in order that they can understand the unjustified complaints and remedy the defects that have caused those that are justified.

One of the unfortunate burdens of the police is that they are held directly responsible for the laws they must enforce. There are those who feel that some of the laws respecting liquor, traffic and gambling are too restrictive. We are all conscious of the present controversy respecting the enforcement of our drug laws. Though the laws are made by parliament and if they are wrong must be changed through parliament, the policeman has become the public symbol upon which the wrath for such conditions is vented. The policeman is really

only one portion of the correctional process yet, he is the most visible and hence, the most easily blamed for the failures of the whole system.

I do not mean to imply that the policeman is without fault. As long as we are dealing with human beings we must accept that the policeman, like any other human being, will make mistakes. Some of these will be difficult to comprehend but will be human errors that can be explained and corrected. There will however be some that are unexplainable and will bring disrespect not only upon the policeman concerned but upon the police service generally. Just as one bad berry can spoil the whole box so can one or two policemen, abusing the power entrusted to them, destroy public confidence in the police service that may take years to rebuild. The police administrator is not so concerned for the nine out of ten complaints that are unjustified as he is for that one that is proven to be valid.

The normal contact between the police and the community is very intimate. Policemen usually deal with people when they are in some state of emotional instability. When they are threatening, angry or frightened, when they are drunk, violent or sincerely

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ashamed. The action taken by the police will affect the person's dignity, self respect and sense of privacy. The odds favour that in any of these contacts the policeman will be required to use some degree of force or persuasion. The actions of the policeman will often determine whether he is to be regarded as protector or aggressor - friend or foe.

The policeman is frequently subjected to verbal abuse or even physical indignities, yet, he must always remember that he is a public servant and sworn to uphold the law. He must conduct himself with more restraint than is required of other citizens. An angry person who swears at a policeman will not necessarily be condemned but let a policeman swear at someone and it becomes a different matter. Behaviour regarded as commonplace and acceptable on the part of an ordinary citizen is not condoned when it involves a policeman.

We can be sympathetic when a policeman, guilty of abuse of his powers, pleads provocation, and this is usually evident in large doses, however he must accept this to be one of the hazards of his occupation and, should he be emotionally unsuited to accept this as a fact of life, he is in the wrong job. Former President

Truman of the United States once said, "if you can't stand the heat, get out of the kitchen."

Complaints alleging police abuse are usually related to incidents involving arrest procedures. It will be at this stage that the policeman's experience, training, attitude, emotional stability and good common sense will be severely tested. These factors alone point out the need for the quality standards for selection, screening and training I have recommended elsewhere in this report.

The law respecting the use of force by a policeman is quite clear. The Criminal Code, Section 25 states in part.

(1) Everyone who is required or authorized by law to do anything in the administration or enforcement of the law

(b) as a Peace Officer or Public Officer is, if he acts on reasonable and probable grounds, justified in doing what he is required or authorized to do and in using as much force as is necessary for the purpose.

(3) Subject to Sub-Section (4) a person is not justified for the purpose of Sub-Section (1) in using force

Tremen of the United States once said, "If you can't stand the heat, get out of the kitchen."

Complaints alleging police abuse are usually related to incidents involving arrest procedures. It will be at this stage that the patrolman's experience training, attitude, emotional stability, and good judgment will be severely tested. These factors, along with the need for the quality standards in selection, screening and training I have recommended, answers this report.

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(b) as a Peace Officer or Public Officer is, if he acts on reasonable and probable grounds, [illegible] justified in doing what he is required or [illegible] as much force [illegible]

that is intended or is likely to cause death or grievous bodily harm unless he believes on reasonable and probable grounds that it is necessary for the purpose of preserving himself or any one under his protection from death or grievous bodily harm.

(4) A Peace Officer who is proceeding lawfully to arrest, with or without warrant, any person for an offence for which that person may be arrested without warrant and every one lawfully assisting the Peace Officer, is justified, if the person to be arrested takes flight to avoid arrest, in using as much force as is necessary to prevent the escape by flight, unless the escape can be prevented by reasonable means in a less violent manner."

Section 26 is also of paramount importance;

"Everyone who is authorized by law to use force is criminally responsible for any excess thereof according to the nature and quality of the act that constitutes the excess."

The Canadian Committee on Corrections when reviewing the possible intent to Section 25(4) on pages 60 - 61 of

their 1969 report noted that many offences for which a person may be arrested without warrant do not involve danger to life and limb and they suggested that firearms should only be used in order to prevent the escape of persons who represent a threat to the physical safety of the public. They made a definite recommendation that section 25 of the Criminal Code be amended to prohibit the use of firearms by a peace officer in order to prevent the escape of a person who has taken to flight to avoid arrest, notwithstanding the arrest sought to be made is lawful, unless

(a) the person who has taken to flight is believe to have committed a serious offence involving violence,

(b) there are reasons to believe that the person may seriously endanger the public if his escape is not prevented,

(c) that such escape cannot be prevented in a less violent manner.

There have been occasions within the experience of every police administrator when he has had to question the use of a firearm by a member of his force. When required he has taken corrective measures. Unfortunately,

the use of a firearm or the abuse of power, regardless of justification, often provokes public demand for excessive restrictions that would, if implemented handicap law enforcement. Those responsible for abuse of power should be punished or dismissed from the police service. The whole of the police structure should not be weakened through the actions of a few irresponsible members.

Police training must stress that the wide powers granted to a policeman can affect the liberty of the individual and that penalties exist for the abuse of these powers. In addition to the civil process, the members of the Royal Canadian Mounted Police may also be charged under the Royal Canadian Mounted Police Act for using any cruel, harsh or unnecessary violence toward any prisoner or other person. The larger municipal police departments have similar means to enforce discipline within their ranks. These can be used effectively to discipline those who may be guilty of even minor abuse of power which should serve as a deterrent to other members of the force.

I would like to repeat once more however that the best way to deal with police abuse of power is to prevent it through effective methods of screening,

training and supervision. In addition, the study of human relations should be given prominence in any program of police training. I would also stress the need for a standard disciplinary code for all municipal police departments. This has been suggested as a possible amendment to item (7) in chapter 7 dealing with amendments of the Alberta Police Act. A standard code of ethics and discipline to involve all municipal police would serve as a deterrent toward abuse of police authority.

I have mentioned procedure for arrest as the most likely area in which abuse of police power may be prevalent. The policeman is often accused of making unnecessary arrests. It is in this area that the policeman frequently encounters resistence and obstruction. Unnecessary arrests not only deprive the citizen of his liberty but weakens the whole fabric of the administration of justice. Police training should stress that an arrest is not made when the process of a summons will serve the same purpose.

Other areas in which the police are accused of abuse of power is involved with interrogation, search and seizure, pre-arrest detention, failure to inform the accused person of his right to counsel and bail. Although the

laws are the product of parliament and the police have no delegated discretion not to enforce the criminal process, the inability of the legislators to envisage law enforcement problems makes it imperative that the policeman exercise some measure of discretion in the interpretation of the law. Here we are again faced with the human element. Interpretation by the rigid letter of the law by some and the spirit of discretion by others. The exercise of discretion is not without its dangers. It can result in inequality in the treatment of the individual and give rise to public complaint.

There is a segment of our society, small but vociferous, and at times quite militant, who seem to be intent on creating disrespect for the police. Some of these prescribe to the doctrine that everyone has a right to freedom without the need for relative responsibility. The predominance of permissive attitude in our society creates resentment when the policeman performs his repressive responsibilities. In the past the police service has enjoyed the support of the "silent majority", the solid citizens who accept the task of the policeman as a fundamental necessity in our democratic society. We cannot however completely ignore the effect upon our

society that results from repeated cries of police brutality from the permissive group, especially when they receive support from a sensation seeking news media. Some of our solid citizens are becoming confused as to the need for the repressive functions of the police.

There is a definite need for the establishment of a responsible, impartial tribunal to provide an avenue for investigation and review of complaints from <u>any</u> member of the public regarding the abuse of police powers. I believe the establishment of an Alberta Police Commission can fulfil this function to the satisfaction of all concerned.

I would suggest that the chief of police should always have the prerogative to make the initial investigation of any complaint against the police service under his direction. His report should be subject to review by his Board of Police Commissioners in private. Should the board feel it to be in the public interest to further the investigation it should then have the right to pursue the enquiry in either an open or a closed hearing. If the complainant is still not satisfied that the issue has been dealt with adequately it should be his or her privilege to refer the complaint to the Alberta Police Commission for review. The Commission would have the

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power to request additional investigation or to hear witnesses if the circumstances should warrant and to make any recommendations it considers necessary. It is important that the complainant always be personally informed of the results of the investigation and the disposition of the complaint and there should be no unnecessary delay in this respect.

A similar system to this is followed in both Ontario and Quebec and with a police commission of reputable men enjoying public confidence and respect for their impartiality, the public have gained a better understanding of the police service, its problems and responsibilities and there is less support from the public and the press for the attempts of an irresponsible minority to diminish the effectiveness of law enforcement.

On page 103 of a report by the President's Commission on Law Enforcement and Administration of Justice dated at Washington in 1967 the following recommendation is recorded;

> "Every jurisdiction should provide adequate procedures for full and fair processing of all citizen grievances and complaints about the conduct of any public officer or employee."

power to require additional investigation. [illegible] witnesses if the circumstances should [illegible] any recommendation it considers necessary. It is [illegible] that the complainant always be [illegible] of the results of the investigation [illegible] of the complaint and there can [illegible] in this respect.

A similar system is [illegible] and Quebec and with a [illegible] employing public confidentiality, the public have [illegible] of the police service, its [illegible] and there [illegible] less support [illegible] for the attempts of an [illegible] the effectiveness of law enforcement.

On page 103 of a report by [illegible] Freslund's Commission on Law Enforcement and Administration of Justice dated at Winnipeg in 1967 the following recommendation is re-

[illegible]

It will be noted that the Commission did not single out the police service to be the only category to be subjected to special scrutiny. They suggested this action would be unfair to the police as the public can suffer equally through the errors and omissions of a variety of public servants.

If I might close this chapter on a happy note it would be to report that this same President's Commission conducted a national survey which indicated that notwithstanding widely publicized criticism of the police the overwhelming majority of the public has a high opinion of the work performed by the police.

Chapter 12.

POLICE, PRESS AND COMMUNITY RELATIONS

In the late nineteenth century, when Sir William Gilbert, the lyric writer of the Gilbert and Sullivan team, penned the words "a policeman's lot is not a happy one", he did not realize he was being prophetic. The policeman's lot today is definitely not a happy one. The public demand a great deal of their police service yet individually they know very little of police problems and responsibilities. Nor do they realize that without public confidence, cooperation and assistance, the policeman cannot perform the duties that they, the public, demand.

The apparent lack of communication between the policeman and the public he is dedicated to serve is of great concern to all police administrators. Like so many other problems that should be the concern of everyone, little in the way of direct action is being done to create a better understanding between the police and the public.

There is a definite need for a police public relations program. Not the normal type designed to impress the people with the quality of a police force

In the Lord Mayor's Pageant, [illegible] William Gilbert, the lyric writer of [illegible] William Sullivan, penned the words "a policeman's [illegible] happy one", he did not realize he was before [illegible] The policeman's lot today is [illegible] one. The public demand a great [illegible] service yet individually they [illegible] police problems and responsibilities that without public [illegible] and assistance, the policeman can [illegible] that they, the public, demand.

The apparent lack of common [illegible] policeman and the public is a [illegible] of great concern to all police administrators. Like [illegible] so many other problems that should [illegible] [illegible] of [illegible] [illegible] in the way of direct action by [illegible] [illegible] [illegible] understanding between the police and

but rather one that will serve to dispel public ignorance of the police service. It must enlighten the public and keep the policeman alert and responsive to that public. Any police public relations program should have a two-fold purpose. A defensive aspect in which we endeavor to protect the police service from attack and misunderstanding and the offensive aspect to enhance its prestige and influence. In its struggle for survival the police service must compete for favourable public opinion.

A police public relations program that resorts mainly to publicity and advertising is doomed to failure as is any program designed entirely by public relations experts. We must remember that the tools used to obtain good public relations, management, the news media and the techniques of public relations, must always be subordinate to the main objective. The best factor in good police public relations is still the policeman himself. His attitudes and the manner with which he performs his responsibilities to the public. Every man in the police department from the chief to the man on the beat must be concerned with good public relations. It should be an integral part of any police training program. An

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expert in the field of public relations once said, "public relations is the one thing that the chief of police can least afford to leave to someone else."

"There are some strangely contradictory elements in the relationship of police to the community at large." said the Toronto Globe and Mail in an editorial comment, "The need for police is so fundamental that, without such a force, civilization would crumble rapidly; yet even those who would admit this can sometimes be found to nurse personal feelings of bitterness, suspicion or general antagonism toward officers of the law." A breakdown in liaison between the police and the public they serve can only diminish the effectiveness of law enforcement.

Instead of warmth and gratitude for those providing an essential public service there is too frequently public coolness or even open hostility. This does not necessarily result entirely from the permissive group which resents authority nor can it be contributed entirely to the conduct of the police. Todays society is confronted with extremes of ideals, emotions and values. Our problem no doubt results from a blending of many factors. One point however is very clear. The police-

expert in the field of public relations, said "public relations is the cornerstone of police can learn effort to learn re-[illegible]

"There are some strengths in the relationship of police [illegible] said the Toronto Globe and Mail in [illegible] "The need for police is so fundamental [illegible] such a force, civilization would [illegible] even those who would admit to nurse personal feelings [illegible] general antagonism toward [illegible] town in liaison between the police [illegible] serve can only diminish the [illegible] ment.

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man is today criticized for doing many of the things he was expected to do only a few years ago.

When the policeman took aggressive action to disperse a demonstration or to quell some act of violence, he usually received public support in the acceptance that what he did was necessary to preserve the peace. Today however this same public - the people who pay the policeman's salary, will stand idle and watch while a policeman is assaulted by a group of law breakers. The public just does not want to become involved. The policeman has not necessarily changed however some of his methods and many of the laws he is trying to enforce have not kept pace with the so called sophisticated attitudes of our modern society.

Law enforcement duties in the past twenty years have evolved from simple tasks requiring simple qualifications to complex professional operations requiring a great capacity for specialized knowledge and techniques. The old adage of all brawn and no brain can no longer apply. Todays policeman must have a higher education to meet the challenge of the changing social scene. He must frequently act within the realm of his own individual judgement. Emphasis today is on human rights

rather than property rights and this requires a considerable change in the policeman's attitudes and procedures.

While the basic principals of law enforcement are still to 'protect life and property and to preserve the peace' and enforcement continues to be mainly repressive in nature, todays policeman must be equally interested in the prevention of crime and the protection of personal liberty. Today's policeman must be conscious of his responsibility to all citizens regardless of race, colour or creed, the rich and the poor, the good and the bad. Today the policeman must be of high character with an intellectual capacity, the wisdom and emotional stability to do the complex job of law enforcement.

The selection process of twenty years ago is no longer valid. The selection of today's policeman must be associated with careful screening to eliminate from the available candidates for the police service, those who because of their immaturity, emotional instability, intolerance or rigidity of thought can only serve to weaken public confidence in the police service. The establishment of better standards for selection has been

a recommendation elsewhere in this report.

Today there must be a greater effort toward co-operation and understanding between the police and all the other public service agencies that make up the correctional process. In an address before the Vancouver Conference of the Canadian Association of Chiefs of Police in 1966, Chief James Mackey of the Metropolitan Toronto Police called for a better understanding between members of the bench, social, probation, parole and rehabilitation services - and the police. "At times," he said, "there is outright hostility and a lack of understanding of each other's problems."

Elsewhere in this report I have stressed the need to emphasize the study of human relations at all levels of police training. Human relations is directed toward establishing a cooperative rather than an antagonistic relationship with the public. Police administrators will favour any approach that will bring the public to work with the police rather than against them. In developing a better and more cooperative relationship with the community it will be necessary to assure them that the policeman does his job efficiently, impartially and in the public interest. There must be an attempt to change

the public image of the policeman from one whose job is considered in the main to be repressive to that of public protection. It is time the image of the policeman was related to protection of the honest and decent elements of the community and that the public be made aware of the fact that the policeman performs a service to the community which they, the community, considers necessary for their own welfare.

There is a definite affinity between good police-community relations and good police-press relations. It would hardly seem possible to have one without the other. The press is the media through which the community is informed of the day to day activities of its governments and the many agencies providing public service. The news media has an important responsibility to the public, the fulfillment of which requires that they have access to reliable accurate information.

Unfortunately the relationship between the press and the police is not always as good as it should be, and this is regrettable as both have a definite responsibility for service to the community. The policeman is inclined to blame the press for giving unnecessary prominence to unconfirmed stories of police imcompetence

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or abuse of power, while the press frequently accuse the policeman of impeding his efforts to obtain accurate information with respect to criminal activity. In many cases the problem is a clash of personalities between two individuals rather than open confrontation between the press and the police. Usually the differences occur through a lack of understanding on the part of each for the responsibilities of the other.

While we in the police service have been inclined to blame the press for the problems that may from time to time arise, and they must accept a share of the responsibility, the possibility does exist that much of the fault may rest with the police in their concern to respect the privacy of police information. For many years the police have regarded themselves as the 'silent service' and has maintained an attitude of secrecy. The police are obligated by the very nature of their work to restrict dissemination of much of the information in their possession. The press are well aware of this restriction however at times they feel they are being denied the bare essentials required to keep the public informed.

Today in our fast moving world it is difficult for

the police and the press to operate on the personal basis that existed a few years ago. The reporter seldom makes a personal contact with the police and the usual communication is through the cold and impersonal telephone. The policeman is hardly likely to supply confidential information to a voice that carries no positive identification. A personal relationship enables the policeman and the reporter to assess each other and determine each others reliability.

Frequently an overly aggressive reporter will bypass the senior police authority in an effort to obtain news details from the constable level. This is not a satisfactory procedure and does little to maintain good police press relations. It is desirable to establish a press liaison officer with every police department to provide one source from which the reporter can obtain news material. This arrangement has proven itself and will work to the advantage of both the police and the press.

The police, on the other hand, would seem to have every right to question the purpose of the press when small matters of police error are dramatized out of all proportion to a police conscious public. In today's

permissive society where the emphasis is on the rights of the individual, human rights, civil rights and constitutional rights, it is only natural for the press to editorialize any actions by the police which may appear to be in conflict with public rights. Every policeman should expect to be exposed to the merciless scrutiny of the public should he act illegally - and every police administrator will support this view. The public has a right to be informed when any public servant acts improperly. The press must realize however that they have the power to mold public opinion and in their desire for the sensational, they must avoid any unnecessary damage to public respect for the police. Disrespect for the police service creates a climate which is conducive to crime.

The police are faced with a growing war on organized crime. The situation is serious and one that must be contained if we are to continue to live in a free society. The news media can fulfil a great public service by keeping the public accurately informed of the inroads being made into society by the criminal element. Life magazine did a tremendous job in this respect a few years ago. A well informed public will result in a

[illegible] society where the emphasis [illegible] of the individual, human rights, [illegible] rights are constitutional rights, it is only [illegible] For the [illegible] editorialize any actions by the police which may conflict with public wants. Every [illegible] should expect to be exposed to the merciless scrutiny of the public should [illegible] not illegally - and [illegible] administrator will support this view. The [illegible] right to be informed when [illegible] public [illegible] properly. The press must realize however the power to mold public opinion and in [illegible] the constitutional, they must avoid any [illegible] to public request for the welfare. Otherwise police service creates a climate [illegible] crime.

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better understanding of the police problem by the community and should result in more public support and cooperation with the police in the war on crime. I think it is important that both the press and the police should fully appreciate that each has an important role to play with respect to crime prevention.

The police and the press can be worthy allies in developing a better public understanding of the police responsibility in the community. The Metropolitan Toronto Police are just about to launch a very ambitious public relations program and the Ontario Police Commission have under consideration a program developed by experts in this field. A great deal can be accomplished through a better police press relationship. Possibly the Alberta Police Commission could take the initiative by appointing a committee from both the press and the police to study the relationship and make recommendations that could result in a better understanding of each for the problems of the other.

Chapter 13.

THE ALBERTA POLICE COMMISSION

Throughout this report I have adopted a positive attitude toward the establishment of an Alberta Police Commission. In fact, a firm recommendation was included in both the Preface and the Introduction. In almost every chapter there has been at least one problem or suggestion discussed and I have endeavored to outline in general terms the manner in which an Alberta Police Commission could solve the problem or develop the suggestion. There remains little more to be done other than to make a definite and firm recommendation here that the Government of Alberta establish without delay an Alberta Police Commission and to offer a few suggestions as to how it might function.

In support of a recommendation for the establishment of an Alberta Police Commission I will refer to the terms of reference under which I have carried out this study.

> (a) authority to enquire into, recommend and take any action designed to improve public confidence in those who are charged with the responsibility for law enforcement within the Province of Alberta.

There is a definite need for better police, press and community relations. This has been covered in

Throughout this report I have adopted a positi[illegible] attitude toward the establishment of an Alberta [illegible] Commission. In fact, a firm recommendation was [illegible] in both the Preface and the Introduction [illegible] every chapter there has been at least one [illegible] suggestion discussed and I have indeed[illegible] in general terms the manner in which an Alb[illegible] Commissioner could solve the problem or develop [illegible] suggestion. There remains little more to [illegible] than to make a definite and firm recommendation [illegible] that the Government of Alberta establish [illegible] an Alberta Police Commissioner and [illegible] offer [illegible] few suggestions as to how it might function.

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[illegible] authority to [illegible] recommend and take any [illegible] in the [illegible] pub[illegible] [illegible] [illegible] [illegible] with

Chapter 12. An Alberta Police Commission could take the initiative and provide good leadership in promoting a program for better police, press and community relations. This would serve the best interest of both the police and the public.

(b) authority to determine the adequate police requirements for any municipality.

It was obvious from my study that there are many areas in the province in which the police service provided is neither adequate or efficient. While I have touched upon the related problems briefly in Chapter 9 I do feel that an Alberta Police Commission could serve a useful purpose as an advisor to both the Attorney General and to the municipality concerned as to what should constitute adequate policing for a specific area.

(c) authority to enquire into and make recommendations to the Government of Alberta for establishing adequate standards for the selection and training of personnel engaged in policing or similar law enforcement endeavour.

There is a very definite requirement for the establishment of desirable minimum standards for both selection and training of municipal police in Alberta.

Chapter 12. An Alberta Public Commission (12 (a)

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There is also a need for some knowledgable person or persons to provide the leadership for developing suitable training facilities in the province. The Alberta Police Commission could also serve to advantage in an advisory capacity to further the programs presently under consideration by our Junior Colleges with respect to police education.

The need for improvement in our standards for selection and training has been mentioned in Chapter 3 and more fully in Chapter 8. The operation of the Ontario Police College is a function of the Ontario Police Commission and its success is well established. If there is to be an improvement in the selection and training process in Alberta the responsibility for its achievement should be delegated to the Alberta Police Commission.

(d) authority to investigate and conduct enquiry into complaints made by anyone with respect to misconduct, abuse of authority, excessive use of force or dereliction of duty on the part of any member of a police department or law enforcement agency operating within the Province of Alberta and where indicated to recommend disciplinary action or corrective measures.

The law governing the use of force by a policeman

is quite clear and he should be fully aware he is liable for any abuse of the powers entrusted to him by parliament. People today are more conscious of their civil rights than they were in the past and it is now essential that a person be given every opportunity to bring to the attention of a proper authority any action by the police which tends to conflict with public rights and further, he should have every expectation that his complaint will be reviewed by persons who are impartial, understanding and well qualified.

The Alberta Police Commission could serve as an avenue for appeal for both the chief of police and any member of his force regarding matters which might affect job security.

Chapter 6 indicates an area of improvement required with respect to the appointment of local municipal boards of police commissioners and while there should be no suggestion of interference with local autonomy the Alberta Police Commission could undoubtedly serve in an advisory capacity and particularly with respect to public complaints concerning the police service which may have been dealt with by a municipal board.

The need for a revision of the Alberta Police Act is quite obvious. The Alberta Police Commission could make the necessary recommendations.

The improvements in the police service of Ontario in the past eight years under the guidance and general supervision of the Ontario Police Commission is worthy of note. The benefits are already apparent in Quebec following the establishment of a similar Commission in that province. A police commission can serve the same good purpose in Alberta particularly if we are to recognize the necessity to contain the spread of organized crime within our community. We can only do this by providing the police service with sufficient well qualified men and equipment to meet the challenge.

Although the authority granted the Alberta Police Commission must be sufficient to permit it to function effectively it should be clarified here that the function of the Commission is primarily advisory. It will serve as advisor to the Attorney General, to the municipal authorities, to the police and to the public in any matter designed to improve policing generally and to create a better understanding between the police and the public.

[illegible] The need for a revision of the Alberta Police Act is quite obvious. The Alberta Police Commission [illegible] make the necessary recommendations.

[illegible]. The improvements in the police services of Ont[illegible] in the past eight years under the guidance and supervision of the Ontario Police Commission is [illegible] note. The benefits are already apparent in [illegible] following the establishment of a similar Commission [illegible] that province. A police commission can serv[illegible] good purpose in Alberta part[illegible]

recognize the necessity to contain the spread [illegible] crime within our community. We can only do that [illegible] viding the police service with sufficient well qualified men and equipment to meet the challenge.

Although the authority granted the [illegible] Commission must be sufficient to permit it to function effectively it should be clarified here that the function [illegible] is primar[illegible] advisory. It will serve [illegible] General, to the municipal [illegible] to the [illegible] in any [illegible] generally and to [illegible] and th[illegible]

While it is not necessarily within my prerogative or terms of reference to suggest the type of men who will serve on the Alberta Police Commission it should be noted that the commissions in both Ontario and Quebec consist of three well qualified men and this number is considered to be ideal. Any larger number will tend to make the Commission unwieldy. It is also considered that the appointment of a judge as chairman adds prestige to the Commission and assures the impartiality that must prevail. The police chiefs with whom I conferred in both Alberta and eastern Canada were all insistent that at least one member of the Commission should be a senior police executive with a good background in field and administrative experience. One member of the Ontario Police Commission has a police background and there are two members of the Quebec Police Commission with years of police experience including a retired Deputy Commissioner of the Quebec Provincial Police.

One police chief in Alberta reminded me that the ethics of the legal profession are governed by the benchers, that the medical profession and several other groups have similar governing bodies but the average municipal police department is frequently governed by people who are

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Police Act in Alberta a recommendation that the
[illegible] Commission be governed by the [illegible]
and [illegible] other groups from
[illegible] municipal police

either unsuited because of a conflict of interests or are entirely unqualified in their knowledge of the police service and its related problems. To provide balance, it would be desirable to have as the third member, one who is familiar with government function at the provincial level. Many of the Commissions programs will directly involve the provincial government and his experience would be invaluable to the Police Commission. The police chiefs in Alberta favour the formation of an Alberta Police Commission along the lines suggested.

It is essential that the Alberta Police Commission be granted full freedom of action. This is essential if it is to perform its obligations impartially in the interest of all concerned. The Commission should be required to report annually to the Attorney General and through the Lieutenant Governor in Council to the Legislature. The Police Commission should operate independent of the Attorney General's Department but should be available as required to serve in an advisory capacity. In its initial stage the Police Commission will require at least one permanent staff member with necessary clerical assistance to maintain the administrative function of the Commission.

generated because of a conflict of interests are entirely unjustified in their knowledge of the police service and its related problems. To balance, it would be desirable to have as one member, one who is familiar with government at the provincial level. Many of programs will directly involve the ment and his experience would [illegible] Police Commission. The police chief is the formation of an Alberta Po[illegible] lines suggested.

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During its early stages of operation the Police Commission will be actively engaged in preliminary work with respect to selection and training programs and the preparation of suitable legislation to provide the Commission with authority to filfil its proper function. During this early organizational period it would be advisable to have one member of the Commission serve at least in a semi-permanent basis. It would also be in the interest of efficiency if all three members of the Commission were located permanently in the Edmonton area in order that they might consult freely as required.

I realize that the necessary legislation to support the full function of an Alberta Police Commission cannot be prepared for presentation before the present sitting of the Legislature however I do feel that the urgency for the establishment of a Police Commission requires that it be appointed without delay in order that it may be available to perform its basic functions in the early future.

I believe it is essential that the Alberta Police Commission start now to formulate its plans and programs and within sufficient time to permit the preparation of

During the early stages of operation the Police Commission will be actively engaged in preliminary work with respect to selection and training personnel and the preparation of suitable legislation for the Commission with authority to fulfill its function. During this early organizational period it would be advisable to have one member of the Commission serve at least in a semi-[illegible] also be in the interest of efficiency if [illegible] members of the Commission were [illegible] in the Edmonton area in order that they might [illegible] freely as required.

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the necessary amendments to the Alberta Police Act.

One learned Judge with whom I discussed the possibilities for an Alberta Police Commission suggested that the Province of Alberta has now matured to the point where the establishment of a Police Commission at the provincial level would seem essential and that it should form an integral part of the law enforcement structure.

CONCLUSION

May I close this report with a very grateful vote of thanks to all the kind people, too numerous to mention specifically, who have helped me in the preparation of this report. I am particularly indebted for a wealth of police training material, valuable assistance and advice received from the Director of the Ontario Police College, the Director of the Quebec Police Institute, the Chief of Police for Metropolitan Toronto, the Director of the Montreal City Police, the Commissioner of the Ontario Provincial Police and the Director of the Quebec Provincial Police, the Directors of the Police Science Programs at Seneca College of Applied Arts and Technology, Toronto and the Lethbridge Community College.

I am also grateful for the assistance received from Chief Superintendent J. Downey, Royal Canadian Mounted Police Toronto, Mr. J. D. Lee, Director of Correction, Government of Alberta, to the chiefs of police of Edmonton, Calgary, Lethbridge, and Medicine Hat and from the Commanding Officer and Officers of the Royal Canadian Mounted Police located in Alberta.

I would be remiss indeed if I were not to also include a very special expression of appreciation for the time and material devoted to this study by the

[illegible] NOTE

May I close this report with a very grateful [illegible] of thanks to all the kind people [illegible] who [illegible] specifically, who have helped me in the preparation of this report. I am particularly indebted [illegible] police training material, valuable [illegible] received from the Director [illegible] the Director of the Quebec Provincial Police [illegible] of Police for Metropolitan Toronto, the Director of the Montreal City Police, the Commissioner of Provincial Police and the Director [illegible] Police, the Directors of the Police [illegible] Seneca College of Applied Arts and Technology [illegible] and the Lethbridge Community College.

I am also grateful for the assistance from Chief Superintendent J. Kenny, Royal Canadian Mounted Police Toronto, Mr. J. D. Lee, Director of Corrections, Government of Alberta, to the chiefs [illegible], Calgary, Lethbridge, and Medicine Hat, Commanding Officer and officers of the [illegible] Provincial Police Lethbridge [illegible].

Chairman and Members of both the Ontario Police Commission and the Quebec Police Commission.

The success of the provincial police commissions operating in both Ontario and Quebec is a proven fact. It is an essential part of the law enforcement structure of these two provinces. I am satisfied that the establishment of an Alberta Police Commission is necessary and will serve to the advantage of both the police and the public. An Alberta Police Commission will be the instrument through which a better understanding is developed between the policeman and the community in which he serves.

I appreciate having had the opportunity to make this study on behalf of the Government of Alberta and sincerely trust that my efforts will prove of some benefit to both the police service and the people of Alberta. The following quotation from a book by Louis Mumford entitled "Faith for Living", would seem to sum up the whole purpose of my study and is therefore suitable ending for this report;

> "The final test of an economic system is not the tons of iron, the tanks of oil or the miles of textiles it produces; the final test lies in

[illegible] and members of both the Ontario Police Commi[illegible] and the Quebec Police Commission.

The success of the provincial police com[illegible] operating in both Ontario and Quebec [illegible] s proven. It is an essential part of the [illegible] of these two provinces. I am satisfied [illegible] establishment of an Alberta Police Commission [illegible] and will serve to the advantage [illegible] the public. An Alberta Police Commission will [illegible] instrument through which a bal[illegible] clapped between the policemen and the community he serves.

I appreciate having had the [illegible] this study on behalf of the Com[illegible] Alberta. I trust that my efforts will prove of benefit to both the police service and the people of Alberta. The following quotation from a book by Lord Mumford [illegible] "Faith for Living", would seem to sum up the main purpose of my study and is therefore suitable [illegible]

[illegible] system is not the [illegible] or the [illegible]

its ultimate product - the sort of men and women it nutures and the order and beauty and sanity of their communities."

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